

CAMPAIGNS AND ELECTIONS IN CONFEDERATE TEXAS 1861 AND 1863

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CHAPTER I

Introduction

Confederate Vice President Alexander Stephens, once speaking on the practice of meeting in secret session by the Confederate Congress, commented that its benefit was that it “kept from the public some of the most disgraceful scenes ever enacted by a legislative body.” In its short life, the Confederate Congress established a negative reputation among both peers and later historians. A combative and occasionally violent opposition, personality conflicts, and public drunkenness were sensational occurrences. These episodes and a general inability to make effective laws have sullied its reputation over time.¹ Many constituents agreed and at the mid-term elections of 1863 barely returned half of the House delegation.² However, the organization cannot be seen as a complete failure. The enactment of the first military draft in history as well as other laws that were born out of military necessity, in spite of their potential political backlash, shows a focus and innovation the war required.

This work looks to further the scope of the few studies devoted exclusively to the subject of the Confederate Congress. It will focus only on Texas in hope that studying one state in depth will provide a template for better understanding how the ongoing war influenced a specific delegation. While providing a discussion of the votes and political

¹ James M. McPherson, *Ordeal By Fire: Volume II, The Civil War*, 2nd ed. (New York: Mc-Graw Hill, 1993), 361.

² Kenneth C. Martis, *The Historical Atlas of the Congresses of the Confederate States of America. 1861-1865* (New York: Simon and Schuster, 1994), 87.

stances of a select group of congressmen it will place an emphasis on the two elections of 1861 and 1863. In doing so, a connection will be established between the men elected to fill the six congressional seats allotted to Texas and the changing conditions in that state. By surveying the character of Texas' congressional delegation in depth, this study will demonstrate how regional political leaders were representative of the male voting constituents who remained on the home front; remaining in Texas being an essential point as Texas, along with Kentucky, did not have specific provisions for soldier absentee voting, meaning those who voted in both congressional elections either never served in the Confederate military or had been discharged.³

Choosing Texas, a geographically large and politically complex state, reveals how two elections played out in the farthest reach of the Confederacy under unique conditions. These elections can be seen as regionalized within the state. It will be shown that Confederate Texas was a politically diverse state in terms of culture and politics. Additionally, Texas had a massive and porous frontier, an economically important but vulnerable coast, and a rapidly developing agricultural system built on slavery. Texas was far removed from the main theaters of war in the East but close enough to significant battles and military operations that the population felt threatened.

This discussion looks to accomplish several goals. First, it will add to our knowledge of Texas politics during the Civil War. By focusing on the House campaigns, elections, and members one can follow political trends from the initial excitement of secession through the war's midpoint, when the privations and disappointments of war were reality. Second, it will demonstrate that election to the First Congress was dependent on a candidate's home and surrounding area of influence and that those

³ Wilfred Buck Yearn, *The Confederate Congress* (Athens: University of Georgia Press, 1960), 43.

representatives who resided and worked in high population centers defeated those who did not. Only one race, the Sixth District, had both candidates residing in the same area providing five examples that illustrate this phenomenon. Third, it will define and explain the significant backlash that occurred among Texas voters, which led to the defeat of three incumbents and presented two others with difficult races. Fourth, this discussion expands the ongoing analysis of Confederate internal political opposition. Bereft of political parties, Confederate politicians split into two disorganized camps over the issue of support for President Jefferson Davis and policies that centralized power in the Confederate capital. Davis understood that a Confederate victory was only possible by consolidating power and decision-making in one place, and so the effort to centralize authority was identified with the president. This work will demonstrate both how the effort to federalize Confederate policies became an issue in the 1863 mid-term elections and examine if the members of the Texas delegation were essentially accountable to their remaining constituents and personal political beliefs or held a de facto party line based on support for the President. Fifth and finally, the question of states' rights among voters and congressmen became increasingly prominent as the war went on. As this study will reveal, Texas voters in 1863 found this issue significant and became more regional in their concerns, although the issue of state rights must itself be questioned in its traditional definition and application to Confederate politics. The historiography of Confederate political studies has strongly influenced how even relatively recent historical works define and categorize politicians and their policies. Civil War historical studies rapidly expanded in the 1870s despite the opinion of many contemporary historians that a fifty-year waiting period was needed to cool passions before a truly objective account of that

period appeared. A struggle ensued in which Southern apologists sought vindication in the pages of the historical record while those outside the region blasted ex-confederates for their disloyalty and perceived decadence.⁴ Southern apologists such as William Dunning established a standard for Civil War history that would later be criticized as idealistically giving the Confederacy too much “moonlight and magnolia” and not enough of the harsh realities of war. As a result, in the early twentieth century some Southern revisionists looked to shift blame from the Confederate soldier to the politicians. Albert B. Moore’s *Conscription and Conflict in the Confederacy*, published in 1924, dealt in depth with the problems and attributes of the Confederate draft. This was the first work to devote much of its focus to the Confederate Congress, emphasizing how the Conscription Acts were created, debated and refined in the Confederate legislature. The final third of Moore’s work first revealed the conflict over both the legislative and judicial processes between central forces in Richmond, often connected to the Davis Administration, and state governments. Moore showed conscription was an absolute necessity to keep Confederate armies stocked with troops but also philosophically at odds with many Southerners. How could a nation founded on the principles of state sovereignty win a war that required the sacrifice of that very principle? Evidence for this conflict was found in significant events throughout the conscription saga.⁵

⁴ Michael Krause and Davis D. Joyce, *The Writing of American History*, Revised Edition (Norman: University of Oklahoma Press, 1985), 139-164.

⁵ Albert Burton Moore, *Conscription and Conflict in the Confederacy* (Columbia: University of South Carolina Press, 1924). For a complete picture of the conscription debate Moore’s work details the creation of the acts, the philosophical debates and a number of conclusions about the successes and shortcomings of Confederate conscription.

Moore had studied and taught at the University of Chicago and his work guided that of one of his peers. One year after the appearance of Moore's book, Frank Owsley took on other areas of the Confederate government using Moore's template. When Owsley published *State Rights in the Confederacy* in 1925 it was essentially an extension of Moore's central idea applied to all of the major laws instead of only conscription. The work focused blame on political divisions within the Confederacy and took issue with the popular conception that "the South was overpowered by superior numbers." Owsley romanticized the "heroism and unselfishness" of the Confederate soldier and targeted blame instead on meddlesome state governors such as Thomas Moore of Louisiana and Zebulon Vance of North Carolina.⁶ However, he saved his worst invective for Governor Joseph Brown of Georgia, whom he depicted as the head of a destructive cabal of politicians from that state. The core belief Owsley held was that the Confederate political system failed. This failure was significant enough for the Confederacy to lose the war. Its source was the struggle between the states and the government in Richmond.

The ideological struggle of state rights versus federalism had been with the country at least since the Kentucky and Virginia Resolutions of 1798. Even John C. Calhoun had been criticized by some of his contemporary Southerners when his speeches took a nationalist tone in his quest for the presidency.⁷ Owsley's work blamed the philosophy of states' rights itself for undermining the lifeblood of the Confederacy. His arguments concerning local defense, the retention of supplies and troops, suspension of the writ of *Habeas Corpus*, conscription, and impressment painted a portrait of resource misallocation and fruitless arguments that sapped the Confederacy. The work was an

⁶ Frank L. Owsley, *State Rights in the Confederacy* (Chicago: University of Chicago Press, 1925), vii-8.

⁷ William E. Dodd, *Statesmen of the Old South* (Norwood, Massachusetts: Norwood Press, 1911), 151.

example of early Civil War revisionism and in that vein argued what nineteenth-century statesmen should have done as contrasted with their actual behavior.

Owsley would be remembered by some as an ultraconservative Southern apologist and by implication lacking objectivity.⁸ Perhaps the most pointed criticism of Owsley's thesis came from Texas historian Charles Ramsdell, who felt that *State Rights* blew out of proportion the effect these governors had. Ramsdell argued that Owsley's enamored tone corrupted the work's critical value and justly pointed out misapplied evidence. *State Rights in the Confederacy* had a definite tone of lament over the failure of the Confederacy and indignation against the governors who placed their state's interest first. Despite this just criticism of Owsley's work, the concept of states' rights conflict remains a vital part of Confederate political historiography.⁹ The work added a new tool later historians would utilize to codify Confederate politicians into pro- and anti-administration camps. Three of the four major works on the Confederate Congress adopted this political spectrum.

Wilfred Yearns' *The Confederate Congress* was the first work to focus entirely on the rebellion's legislative body. Although this 1960 work offered little in the way of judgment it is a useful chronological account. In the few areas where judgment was applied it was done in the framework of support or rejection of President Davis and the centralization of power. Twelve years later, Thomas Alexander and Richard Beringer's *Anatomy of the Confederate Congress* applied scaled scores to congressional roll call

⁸ Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (New York: The Cambridge University Press, 1988), 227-237.

⁹ Wendell Holmes Stephenson, "Charles W. Ramsdell: Historian of the Confederacy," *The Journal of Southern History* 26 (November 1960): 512-513.

votes in an attempt to place members into particular political camps. Although the Confederacy lacked political parties, historians and political scientists have attempted to show that a growing opposition existed. Often, the basis for interpretations of the Confederate political spectrum was how specific types of votes fit in with efforts by the Davis Administration to centralize power. The Confederate Congress responded to certain problems—open disloyalty, the quantity of troops, lack of supplies in certain areas—with laws that required sacrifices of its civilians. Invariably, some civilians were not pleased with having to give up some civil rights, part of their bumper crops, or being forced to serve in the military, despite the obvious necessity of such sacrifices to achieve Confederate independence. Yearns took this method of classification and with Ezra Warner compiled short biographical studies of every congressional member in the *Biographical Register of the Confederate Congress*. For most individuals the work defined their political stance based on their support for centralizing legislation and, by extension, the Davis Administration.

A cartographic representation of these ideas appeared in Kenneth Martis' *Historical Atlas of the Confederate Congress* in 1994. Martis extended the centralization arguments of previous works to determine levels of support each state's delegation gave to the Confederacy, essentially arguing from hindsight that being for the centralization of power was beneficial to the overall independence effort. He argued that Texas was a "high support" state based on including the Provisional Congress, which was not selected by the vote of the public but rather was chosen by the state secession convention. Consequentially, this study does not include the Provisional Congress since its members were more a reflection of a political body at the state's apex of Confederate optimism and

heated radical decisions. Instead, this thesis attempts to illustrate the connection between the public perception of the war shown by voting patterns and the men who the public later elected to office. In that vein, the two Texas senators are also considered only briefly since, following federal practice, they were selected by the state legislature.¹⁰

The short year and nine months between the first congressional term and mid-term election involved serious legislation that, with the proceedings and effects of war, turned public opinion. By the Second Congress two-thirds of the elected Texas delegation was not in support of the Davis Administration. Two congressmen illustrated how tenuous the Texas delegation's Confederate support was over the entire war despite the First Congress's consistent marks for supporting most of the Administration's policies. Coupled with the "low support" of Congressman Caleb Herbert and pro-Davis Congressman Franklin Sexton's narrow win in the mid-terms, Texas voters marginally supported the Confederacy as a whole. Texas voters filled seven of the twelve available slots in the two congressional elections with men who supported Davis and, by extension, the centralization of power. In the 1863 election only one Administration supporter won comfortably while Texans returned an avowed state rights candidate and elected three other anti-centralization candidates to office. Using the standard definition equating pro-states rights with policies not supporting centralized power, "Confederate support" over both elections was realized by a mere fifty-four votes in the Fourth District's second election. This supports the conclusion that roughly half of Texas voters in the 1863 election disapproved of congressmen who supported centralization and by the established

¹⁰ Louis T. Wigfall and Williamson S. Oldham are notable as both men became anti-Administration by the war's end. Oldham began and remained at odds with the Davis Administration for the entire war often basing his opposition on constitutional interpretations. Wigfall later turned against Davis personally and on disagreements of military strategy.

definition did not support the Confederacy or, at a minimum, the sacrifices required for independence. This work will show that the Confederate Congressional elections of 1863 clearly show a shift in how Texan voters viewed their place in the Confederacy. The support Texan voters had for the Confederacy was initially strong but clearly waned by the war's midpoint as seen in the difficulty encountered by the 1861 incumbents in the 1863 election, the issues of the campaigns, and the delegation that returned to Richmond after the mid-term elections. To begin to arrive at this conclusion one must first understand how Texas' congressional makeup mirrored the state's swings of the political pendulum.

CHAPTER II

“Sound Southern Men” and Bailiwicks: the 1861 Texas Congressional Elections

Texas’s antebellum congressmen in both the Republic and United States often reflected the origins of immigrants to the state. In the first years of independence they hailed from distant states such as Massachusetts, Maine, and Pennsylvania, completing long treks that ended in the young Texas Republic. As the years progressed birthplaces became increasingly, then exclusively, Southern—Tennessee, Virginia and North Carolina—as did the paths they took to get there. For example, Andrew Jackson Hamilton, who represented the state in the last session before secession, was an Alabaman whose career route sent him west seeking fresh grounds to advance in politics. Like others before and after, he found it in Texas. The backgrounds of Texas’ early congressmen ranged from law to fighting Indians. Like many antebellum politicians across the nation at the time, most based successful campaigns on prior political experience or a military pedigree.¹¹ During the antebellum years the population of Texas underwent a drastic change in terms of its population that hailed from the South. Initially, the American influx into Texas consisted of mainly immigrants from the Upper South, later defined by demographers as Kentucky, Virginia, North Carolina and Tennessee. This vanguard of American settlement was a mere trickle during the years of Mexican rule. In the case of Texas

¹¹ United States Congress. Biographical Dictionary of the U.S. Congress, 1774-Present. <http://www.bioguide.congress.gov> (accessed April 1, 2008).

many of these early settlers came from Tennessee. Bringing their political culture with them, most of the population that came from Tennessee was Jacksonian Democrat. This meant a pragmatic philosophy embodied in Old Hickory's protégé Sam Houston, the dominant figure of Texas antebellum politics. This pragmatism was replaced by what would become radicalism. As more immigrants arrived from states along the Gulf of Mexico the economy increasingly became connected to slavery. Although slaves were present in the early years of settlement, they tended to be concentrated in the bottomlands near the coast because slaveholders ran the risk of forfeiture as the Mexican government was opposed to the institution. Texas independence eliminated this potential and southern slaveholders responded. Within the year following Texas independence, Southerners from the Gulf Coastal Plain that spread to the Atlantic Ocean began to pour into the state. In what cultural geographers would later call "cluster migration" groups that arrived in Texas often sent back word of the state's potential. When this reached their family and friends, these people in turn left exhausted soils and traveled to where their contact had already become established. Hence many cultural groups "clustered" in the same areas within the state. In a little more than a decade, immigrants from Alabama, Georgia, and Mississippi would become the second, third, and fourth ranked sources of population behind Tennessee. By the second Federal Census of 1860 Gulf Southerners, also called Lower Southerners, had become the largest group in the state surpassing the original influx of Upper Southerners.¹² These two distinct groups had sectioned themselves into pocketed regions within the state and established in Texas the unique

¹² Terry Jordan, "The Imprint of the Upper and Lower South on Mid-Nineteenth Century Texas," *Annals of the Association of American Geographers*, 57 (December 1967): 670-672.

cultures and agriculture practices of their regions.¹³ Politically, immigrants from the Lower South tended to have a more radical outlook as slavery was a larger part of their pervious state's economy.

The success of slavery within the state was represented politically both in the failure of various opposition parties and the success of the Democratic Party, which in the Lower South had become the party identified with preserving slavery. In Texas a viable opposition had existed as late as the mid-1850s so the Democratic Party gradually became the organization of planters and, as secession neared, radicalism. By the eve of the Civil War only the Democrats remained as a viable party. Within the party factions emerged, the largest taking the title of "regular" Democrats and led by radical men of the Lower South and others aspiring to the establishment of a lucrative plantation system within the state. The regulars became the largest and most radical wing of the state's sole party. By secession, Texas was dominated by people from the Lower South in terms of population, culture and politics. When the Secession Referendum came to a vote, Texans overwhelmingly passed it 46,154 to 14,747. Naturally, the first members of the Provisional Congress reflected this political reality, having been selected on the basis of their past work and dedication for the Confederacy.

A month after the secession referendum the state legislature began work to create new congressional districts. Confederate states used two methods to redraw districts. Seven states simply incorporated the new boundaries into their new Confederate state constitutions while six others, including Texas, did so through the proceedings of the

¹³ Frank L. Owsley, "The Pattern of Migration and Settlement on the Southern Frontier," *Journal of Southern History*, 11 (May 1945): 147-176.

state legislature.¹⁴ By virtue of Texas' ten-year increase in population, Texas would have been entitled to six seats in the House had it remained in the Union. This apportionment was adopted by the Confederacy. An eighteen-member Committee on Apportionment had been created in the previous month and was chaired by Jacob Waelder, a German-born Confederate sympathizer. On March 26, Representative George Erath offered a resolution for the committee to prepare and report a bill to apportion the state for representation in the Congress of the Confederate States, which was adopted. Caleb Herbert, who would later go on to win the Second District seat that November, then moved to amend this resolution. Perhaps to expedite the process, his amendment moved that the committee be reduced to nine and chaired by Erath.¹⁵ When the bill moved back to the floor of the legislature it took several days and thirteen motions and amendments to reach an agreement.

Much of the debate involved several northeast counties among the Fourth, Fifth and Sixth Districts. One proposed amendment of interest sought to drastically change the Fifth District to include Cooke, Montague, Collin and Grayson—counties that had voted against secession along the Red River.¹⁶ Had this been adopted, the Sixth District would have taken in a larger swath of the Black Land Prairie region and been split into two separate parts, possibly opening the door for the insurgent Unionist Benjamin Epperson. However, conscious gerrymandering to prevent this by the committee would have been unnecessary. Even in areas of dissent the tide of secession was so overwhelming that

¹⁴ Martis, *Historical Atlas of the Congresses*, 19-20. All of the Confederate states increased representation with the exception of South Carolina and Missouri. South Carolina had little increase in population and used the same districts from the previous decade as did Missouri, a state soon overrun by Union forces. Missouri's exiled Confederate government was moved to Marshall, Texas.

¹⁵ Texas State Archives, *Journal of the House of Representatives of the State of Texas, Extra Session of the Eighth Legislature* (Austin: John Marshall, 1861), 127-8, 163.

¹⁶ *Ibid.*, 167, 172-3, 232-5.

pockets of opposition were bordered or surrounded by areas voting heavily for secession. Although accusations of possible gerrymandering would be impossible to prove, there was circumstantial evidence that districts were drawn to ensure that secessionists would fill the seats of the Texas delegation. Any possibility of an opposition candidate such as Unionist Benjamin Epperson succeeding was made impossible by grouping these pockets of unionism with larger, more populated regions further east where Lower Southerners were more numerous.

The most obvious evidence of this practice was the two thinly stretched districts in the northern part of the state. The Fifth District, running east to west, was a cross section of the two dominant southern cultural groups in the state. Only two counties at its tallest point yet spanning nine voting counties in width (counties in the western extremities had no returns) the district took in Lower and Upper South population clusters as well as frontiersmen pushing the line of habitation further westward. The heavily populated eastern portion of the district was a hotbed of regular Democratic politics and home to Upshur, Harrison, Rusk and Smith Counties, culturally four of the most Lower South in the state. Moving further west, families tended to be from the Upper South states and voted against secession in much higher percentages.¹⁷ These counties had increasingly smaller populations, reflecting later settlement dates. Consequently, any potential moderate voting county blocs in the west were diluted by more populated eastern radical blocs. The Second District contained a five-county anti-secession group that included the state capital of Austin, which was nestled within a nine-county string in the Gulf Coastal Plains where the largest plantations in the state resided. These nine counties voted 4,784 to 710 in favor of secession, almost 85 percent. The Committee on

¹⁷ Jordan, "The Imprint of the Upper and Lower South," 686-689.

Apportionments' work reflected the political will in the state following the landslide secession vote. While there was little if any hope of an anti-secession district emerging out of the various proposals submitted, the question remains if the committee actively worked to dilute representation from known secession areas. As the committee was in possession of the county totals from the February referendum when drawing the boundaries, it is not unreasonable to consider that the regular Democrats controlling the legislature sought to weaken any potential opposition. Given public opinion, if the committee's intent was indeed gerrymandering to ensure regular Democrat control of the delegation, it did not have to work hard. The nature of cluster migration in Texas meant strong opposition areas were frequently near strong secession centers.

However, even early votes defied predictability. The referendum vote was itself not always a useful predictor of a district's future performance. Titus County in northeast Texas voted overwhelmingly for secession and supported regular Democratic gubernatorial candidate Francis Lubbock by large margins. It then was won by avowed Unionist Benjamin Epperson in the congressional race.¹⁸ Outspoken secessionist planter Caleb Herbert of the Second District won three counties in his district that had rejected secession.

Trying to find consistent patterns between the Confederate Texas elections yields little. The cultural complexity of the districts prevented any consistent patterns from emerging that linked secession, gubernatorial, and congressional support and their respective elections. However, viewing congressional votes on their own reveals internal

¹⁸ Ralph A. Wooster, "Texas" in Wilfred Buck Yearn, ed., *The Confederate Governors* (Athens: The University of Georgia Press, 1985), 197. Wooster points out that of the three Democratic candidates for governor, Lubbock, Edward Clark and Thomas Chambers, the party had been unable to agree on one so all three ran. However, he asserts that Lubbock had the support of the more radical party leaders and the most influential regular Democratic newspaper editors.

patterns that emerged within the state, especially since Texas congressional districts were almost equal in terms of total votes cast. Traditionally, past congressional and gubernatorial elections in the Lone Star State had always partially been decided by the character of the candidate. A stinging campaign speech, delivered while one's opponent sat squirming on the stage could slowly—campaign stop by campaign stop—change the tide of support. However, Texas's congressional elections during the Civil War were at first entirely dependent on one's residence then increasingly hinged on matters of policy, especially in 1863. By the midterm elections Texas politics had evolved enough to illustrate how citizens felt about, at the very least, the government's management of the war.

Confederate Texas's first congressional election generally saw multiple candidates in all districts. Only the Fourth and Fifth District elections were two-man races. With the exception of the aforementioned Epperson, little difference in acknowledged political philosophy existed among the candidates in the 1861 election. Because there was no organized opposition party apparatus, pre-war loyalty was often the main issue. In the uproar that surrounded secession fire-eaters held the top rung on the political ladder and having been a loyal secessionist and ardent Confederate were what many candidates looked to establish first in their campaign biography. Many professed to be "sound southern men" and promised a "vigorous prosecution of the war."¹⁹ Many candidates could point to acts of participation in the secession movement to bolster their credentials. Others immediately took up the task of organizing local men for war. With consistent Confederate support among the candidates few, if any, issues distinguished

¹⁹ Yeans, *The Confederate Congress*, 43-44. See also Benjamin Epperson, Speech at Bonham in *Ben Holland Epperson Papers*, The Center for American History, University of Texas at Austin.

candidates from each other. The initial shift away from the politics of personality in Texas can be seen in the 1861 congressional elections.

A phenomenon that can be called the “bailiwick effect” seems to have been in play in many of the races. All of the districts exhibited to some degree a connection between victory and a candidate’s area of influence, interpreted as an area usually including his home county and several neighboring ones. Not adjusting for turnout, candidates who were established in the concentrated population clusters within their districts obviously had an advantage. The results show that in the 1861 congressional elections not one candidate won who resided in a less populated part of his district.

Naturally, candidates fared well in their home counties. A.M. Lewis, who finished a respectable third in the Second District’s 1861 race, won a string of four counties along the northern edge of the district gathering almost 70 percent of his vote total there. Malcolm Graham of the Fifth District owed his landslide victory in large part to returns from his home county of Rusk and neighboring Smith, Upshur, and Harrison Counties, giving him a margin in these counties of 2,250 to 756. The 1,494 vote advantage he gained in these counties reflected his final landslide margin of 1,418. Franklin Sexton fared well in his home county of San Augustine in the Fourth District. In that county he gathered 207 of the 236 total votes cast in what ended up overall as one of the closest races in the state. John Wilcox of San Antonio won the First District by 1,453 votes having gained 1,149 of his votes in Bexar County alone compared to runner-up Edward Hord’s scant 41 there. Hord, who resided in Starr County on the Mexican border, won almost every border and coastal county in this large district with percentages over 90 per cent but their combined total still came up short of Bexar’s alone. Planter

Caleb Herbert gained his highest totals in agriculturally rich Colorado County (where his hometown of Columbus was the county seat) as well as neighboring Austin County. Having been a state senator and spending part of his career in Travis County, he won it and the five surrounding counties. Peter Gray, winner of the Third District had cut his political teeth as the District Attorney for Houston. He won 88 percent of the votes in heavily populated Harris County on his way to victory. Neighboring Galveston and Grimes Counties, centers of population in this coastal cotton region, also went his way, giving him a 1,766 to 655 margin in these three counties alone.

The nature of these campaigns meant that there was an increased focus near one's residence. For the most part, these campaigns were horse and buggy spectacles held over from antebellum days that crossed the dusty roads of one's district accompanied by stump speeches, personal attacks, and occasional demagoguery. A campaign schedule would be published in advance, usually through the local newspapers. Often, these physically demanding antebellum-era campaigns covered multiple counties on back to back days, with Sunday and the occasional travel day off.

One of the most impressive campaigns of the era, Sam Houston's 1857 gubernatorial barnstorms through the state, provides an extreme example of what was expected of a candidate. Although not on the congressional district level that is the focus of this work, the campaign covered over 1,500 miles while the candidate braved dust storms, summer heat, and frequently camped outdoors as Houston sought to offset the negative radical press of his actions while a U.S. senator. Drawn by a scarlet buggy advertising "Warwick's Patent Plow" the campaign covered forty-one counties in less than two months. Fifty-eight of the total sixty-seven days were spent on the road

traveling between towns that averaged thirty miles apart. The speech would then last two or three hours before he was off to the next town.²⁰

Districts split the state into six regions so there was a much smaller territory to cover, but the elections were still demanding. An example from the Sixth District in 1861 illustrates a typical campaign. Candidates covered eleven counties in twenty-two days. Usually there was a one-day break between stops and all four candidates gave speeches at each event. Beginning in Titus County the schedule included stops in Tarrant County, Greenville, McKinney, and Denton before swinging out to Decatur, Gainesville, Sherman, and ending in Paris. Former Unionist Benjamin Epperson, a wealthy and influential railroad man, was the most prominent speaker among the candidates and his stump speeches hoped to influence both the pragmatic and patriotic.²¹

However, as Houston's and Epperson's results show, wealth, influence and campaigning ability were sometimes not enough. Obviously in such heated times it helped to be on the side of the *Zeitgeist*, and all of the winning candidates had embraced secession well before the state referendum. The only exception to following the standard Democrat-to-secessionist track in Texas was John Wilcox, who had represented Mississippi in the 1850 Congress as a Unionist Whig. Six years earlier he had emerged as one of the leading Know-Nothing organizers in Texas before returning to the Democratic fold in 1858. This might have hurt him in other districts, but it seems to have not been a problem in the diverse First District. The other five winning candidates had strong secessionist credentials. Caleb Herbert was instrumental in organizing the Secession Convention while in the state senate and Peter Gray, who had once been a

²⁰ James L. Haley, *Sam Houston* (Norman, Oklahoma: University of Oklahoma Press, 2002), 344-351.

²¹ *Clarksville Standard*, Oct. 5, 1861.

vocal supporter of annexation to the United States, evolved into a secessionist Democrat and delegate to the convention. Franklin Sexton served as president of the 1860 State Democratic Convention, which at that point was well on the road to secession. Malcolm Graham, a secessionist and elector for the more radical Democratic Presidential Candidate John C. Breckinridge, was joined by Sixth District winner William Wright, who had chaired the committee responsible for drawing up state secession plans to round out the delegation.²² All of the winning candidates supported slavery and owned slaves. Four of them would have been considered small scale owners while planters Herbert and Sexton, who owned forty-eight and seventy-eight slaves respectively, topped the twenty slave standard that categorized them as large scale owners.²³

Other traits held in common by Texas' first-term congressmen included military service and political experience. Four of the candidates had military backgrounds, ranging from Wilcox's service from 1841 and into the Mexican War, to Graham, who raised a regiment just after the secession referendum passed. All candidates had political experience, although only Wilcox had served in a legislative body at the national level a decade prior.

Analyzing the districts in depth provides evidence of how complex Texas's political landscape was during the war. The First Texas Confederate Congressional District encompassed all of South Texas and the southern section of the western frontier. Geographically the district was unlike the other five. Covering the southern section of the state, it was bordered by the frontier in the northwest, Mexico along its southwest

²² Unless otherwise noted, all biographical information of winning candidates is referenced in Ezra J. Warner and W. Buck Years, *Biographical Register of the Confederate Congress* (Baton Rouge: Louisiana State University Press, 1975).

²³ Thomas B. Alexander and Richard E. Beringer, *The Anatomy of the Confederate Congress* (Nashville: Vanderbilt University Press, 1972), 368-388.

edge and the Gulf of Mexico along its eastern line. It was split by the longitudinal line west of which annual rainfall amounts began to decrease significantly. Rainfall totals dropped off between 96° and 98° longitude, the standard demarcation where the Gulf-influenced humid eastern climate that typified the southeastern Confederacy gave way to the increasingly arid West.²⁴ Agriculturally, the state-long strip of Black Land Prairie that supported rich cotton harvests tapered off and terminated along the northeast edge of the district. From this point, the land changed in several ways. Due west began the Hill Country, while south and southeast gradually became a vast scrubland. As cropland gave way to rangeland, places such as the Nueces Valley became important centers for Texas cattle production. The district also included cultural sub-regions that made it the most diverse in the state.²⁵

Large numbers of German immigrants lived all over the district, especially concentrated in the Hill Country. The vast South Texas Plain that had until recently been part of Mexico was still strongly influenced by its neighbor. A six county stretch along the northeast edge of the district was the western extremity of the Lower South, having large numbers of slaves and high cotton output. None of the district's counties lay east of 96° longitude, defined by Walter Buenger as the limit of the homogenous Lower South culture, although it could be argued that this definition is mistaken. The short rail line that connected Victoria to the coastal towns of Port Lavaca and Indianola supported the cotton exports for this area. Victoria County had 1,533 slaves, Gonzales County had 2,702 and five counties bordering the Guadalupe River counted one-quarter to one-half of

²⁴ Walter L. Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 1984), 14-15.

²⁵ Ibid.

their population as slaves.²⁶ As a result, this diverse district had strong ties to the plantation economy which in turn affected both the 1861 and 1863 votes in the district.

The most significant voting blocs in the district came from the towns of El Paso and San Antonio. Although El Paso was home to the Union's Fort Bliss, the town was largely sympathetic to the South due to its large numbers of Southern-born soldiers and officer corps. The county voted for secession 871 to 2. San Antonio, which lost large numbers of its population following the Texas Revolution, rebounded with an influx following the Mexican War. Government expenditures, its status as a supply center for the dynamic frontier, and being a crossroads for trade made the town the state's second largest population center at the war's outbreak.²⁷ The town was also one of the most concentrated pro-Union voting blocs in the state with the secession referendum being defeated there, although the county narrowly carried the measure 827-709.²⁸ San Antonio had also been the scene of pre-referendum posturing, with the expansionist society Knights of the Golden Circle working to intimidate the public. Tensions increased when General Earl Van Dorn and about 2,000 pro-secession men had a brief standoff with Federal forces in nearby Castroville and Ben McCulloch's secessionist forces seized the Federal arsenal in the town one week before the referendum.²⁹ Despite the fact that there were numerous pro-Union men and newspapers such as James Newcomb's *Alamo Express*, many in the town identified with the Confederate cause after

²⁶ Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas* (Baton Rouge: Louisiana State University Press, 1989), 60.

²⁷ D.W. Meinig, *Imperial Texas: An Interpretive Essay in Cultural Geography* (Austin: University of Texas Press, 1969), 58.

²⁸ Dale Baum, *The Shattering of Texas Unionism: Politics in the Lone Star State During the Civil War Era* (Baton Rouge: Louisiana State University Press, 1998), 76.

²⁹ Thomas T. Smith, Jerry D. Thompson, Robert Wooster, and Ben E. Pingenot, editors, "San Antonio and the Secessionists, 1861-1862: From the Reminiscences of Maj. Gen. Zenas R. Bliss," *Southwestern Historical Quarterly* 110 (July 2006): 73-94.

the fall of Fort Sumter. Much of the town's German population, which made up a full third of the total, had become mostly indifferent to or supported slavery outright.³⁰

Wilcox's past associations with Unionist Whigs in Mississippi and the Know-Nothings as recently as 1856 never put him on the defensive during the campaign. In a campaign debate described by the *Herald* as "lively," Edward Hord outlined the case for secession to the people of San Antonio and invoked "the governments of Hamilton and Jefferson" for guidance. Wilcox took the podium next and chided him for "discussing old political issues with which every schoolboy was familiar," and then blasted the "military despotism" of the North in a moving speech. Although Hord made a favorable impression with the town's Mexican citizens by making part of his speech in Spanish, he made no dent in Wilcox's influence in that candidate's hometown.³¹ As previously mentioned, Wilcox gained his largest margins in Bexar County. He also produced large margins in distant El Paso County. These two counties by themselves produced 51 percent of his total vote and provided him with a margin of 1,584 votes, close to his winning margin of 1,453 over runner-up Edward Hord. Hord, who continued to campaign in fluent Spanish when needed, dominated most of the border counties with typical returns of 99, 100, and 96 percent (the only exception was Wilcox's landslide in Cameron County). These lopsided voting percentages were most likely in part due to the control of Mexican votes by local Democratic bosses.³² William Stewart of Gonzales won his home and two neighboring counties while a smattering of Hill Country frontier counties went mostly for Wilcox although with small returns. Wilcox became one of two

³⁰ Buenger, *Secession and the Union*, 81-83.

³¹ *San Antonio Herald*, November 2, 1861.

³² Charles Ramsdell. *The Frontier and Secession in Studies in Southern History and Politics* (New York: Columbia Press, 1914), 67.

congressmen in the 1861 election to win an absolute majority in an election with more than two candidates, garnering 52 percent of the total compared to Hord's 28 percent and Stewart's 21 percent.³³

The Second Congressional District illustrates the complexity of Texas Confederate politics. Geographically, the district was suited for the plantation production of cotton and had the longest history of agricultural development. Of the nineteen counties it contained, sixteen held over 1,000 slaves. The Coastal Plain counties of Matagorda, Brazoria, Fort Bend and Wharton had over 50 percent slave population, holding a combined 12,822 bondsmen on the eve of secession compared to a white population of just 5,997. One county removed from these, Washington, held 6,616 in bondage while Wharton County's slaves comprised over 80 percent of the population, one of the highest concentrations in the state.³⁴ The district modeled what other underdeveloped agricultural regions could look forward to in the future. Without disruption to the migration patterns and agricultural development that included large numbers of slaves, the region had the potential to become another foothold of the plantation economy.

Yet this Lower South population was dispersed across the district in several places. Austin, Colorado, and Fayette comprised a three-county cluster of majority

³³ Citations of Congressional vote totals in Texas during the Civil War in the secondary literature seem to rely largely on reports from newspapers. For the purposes of this study, all Congressional election returns are from The Secretary of State Records, Archives and Information Services Division, Texas State Library and Archives Commission. In almost every case the totals do not match those provided in the secondary sources. There is no consistency in the six races covered over two elections; seven of the twelve have higher returns in the secondary sources while some counties show no returns from the Secretary of State records. Three elections have higher totals in the archival sources and two races have different totals for different candidates. The 1861 election for the Fifth District seat is the most extreme example. The secondary sources list Malcomb Graham narrowly defeating R.B. Hubbard 2,946 to 2,686. However, with all counties accounted for the State Archives show that Graham won in a landslide 3,507 to 2,089. See Kenneth C. Martis, *The Historical Atlas of the congresses of the Confederate States of America: 1861-1865*, 134, 137 and Dale Baum, *The Shattering of Texas Unionism*, 113-117.

³⁴ Campbell. *An Empire for Slavery*, 59-60; Jordan, "The Imprint of the Upper and Lower South": 676.

ethnic German and Czech Bohemian Texans, and populations from the Upper South dominated the four prairie counties in the northwest corner of the district as well as Travis, the seat of state government.³⁵ The counties of Williamson, Burnet, Fayette and Bastrop (a Lower South county in terms of slaves, demographic origins, and agriculture) marked a large area within the district that returned a majority vote against secession 2,405 to 1,841. The rest of the district carried secession 6,227 to 1,306.

Herbert's election was due in large part to his ability to gather votes in the two population centers of the district. His dual residence in Austin as a state senator and in Columbus as a plantation owner and operator extended his area of influence over much of the district and he was able to pick up significant vote totals in counties, even when finishing third or fourth. The four man race was one of the state's closest, with all candidates having respectable returns. Again the bailiwick effect seems to be the deciding factor. An analysis of the voting shows the three losing candidates with strong showings in strings of counties included in their area of influence. Runner-up Fred Tate of Wharton County won the U-shaped run of counties that included his home county and Fayette, Lavaca, Jackson, Wharton, and Fort Bend. He also gathered a significant share of the vote in neighboring Washington, Austin, Brazoria and Colorado Counties. These nine connected counties resulted in 1,328 votes, 70 percent of his total. A.M. Lewis won the four counties that included Washington, Burleson, Milam and Bell, gathering 983 votes (also 70 percent) of his total. Travis County land speculator F.W. Chandler, a distant fourth place finisher overall, won 173 votes in his home county alone, accounting for almost 15 percent of his total. Herbert was not only able to poll extremely well in his own area of influence but also consistently won votes across the entire district, winning

³⁵ Buenger. *Secession and the Union in Texas*, 64-66.

the counties that book ended the district and a total of nine out of twenty. In the counties he won he did so with large margins, usually winning well over half of the vote. Even in the counties he failed to carry he took in over a third of his 2,422 total votes.

Herbert's ample resources and connections gave him an advantage. A wealthy man at age 47, the Eagle Lake planter was the largest slaveholder in Colorado County. His estate was valued at over \$404,082, making him by far the wealthiest member of both Texas delegations.³⁶ He identified with the cotton industry and polled well in the large plantation region along the coast. His second highest vote total came from Brazoria County, one of the most successful Lower South plantation agricultural areas in the state and one in which slaves outnumbered the white population 5,110 to 2,027.³⁷ Clearly, he was the large planter's candidate. Having also served in the Texas Senate for the two terms preceding secession and being a vocal proponent for disunion in 1861, he had the background in place to run a successful campaign in the aftermath of secession. Not surprisingly, he gathered his largest totals in his home county of Colorado (214) and neighboring Austin (337), Lavaca (131), Fayette (170), Washington (181), Bastrop (207) and Caldwell Counties (223). These contributed 1,463 total votes or 60 percent to his total, again illustrating how residence in or near a district's population center translated later to a seat in the new congress.

Herbert clearly won a plurality with 35 percent of the vote while the other candidates split the remainder with 28, 20, and 17 percents. An evenly spread population across the district contributed to the result. However, fissures existed beneath the surface that were illustrated by the significant anti-secession referendum votes in 1861. This

³⁶ Alexander and Beringer, *The Anatomy of the Confederate Congress*, 370.

³⁷ "Brazoria County," *The Handbook of Texas Online*.

<http://www.tshaonline.org/handbook/online/articles/BB/hcb12.html> (accessed December 4, 2008).

sentiment would manifest itself two years later as Herbert would run for re-election having attacked both Confederate President Jefferson Davis and the concept of the Confederacy itself.

Geographically, in many ways the Third Congressional district was similar to the Second. Stretching from the frontier counties of Taylor and Runnels on the northwest edge of settlement, the district ran southeast to the coast where it terminated in Harris and Galveston Counties and the Gulf of Mexico. Although it included twenty-seven counties, five western frontier counties did not vote in any of the Confederate elections. Within the district were settlement patterns similar to the Second District. Significant differences were the large urban population concentrations in Houston, the state's third largest city with 4,848 residents and Galveston, which at the war's beginning was the state's largest town with 7,307 residents. Galveston, the "Queen City on the Gulf" ranked fifth in the total trade value of all southern ports and had over \$5,500,000 in exports in the year preceding the war. Slaves were significantly concentrated within the city—1,178 of the county's 1,407 lived in the city limits. As the export conduit for the state's cotton crop, Galveston and Harris Counties were firmly tied to the plantation South's economy and politics.³⁸ The twelve counties stretching from Galveston to the opposite bookend (Falls, Limestone, and Freestone) were some of the most developed agricultural and slave intensive areas in the state. Three counties, Grimes, Montgomery and Walker, counted over half of their total population as slaves in 1860.

The Third Congressional District was the state's least competitive race with Peter Gray, a state district court judge and former district attorney of Houston, winning every

³⁸ Alwyn Barr, "Queen City on the Gulf Held Hostage: The Impact of War on Confederate Galveston," *Military History of the West* 27 (Fall 1997): 119-121.

county that reported returns.³⁹ He trounced Huntsville-attorney A.P. Wiley 4,322 to 1,453. Wiley's most successful returns were from his home county of Walker and distant Galveston County, although he lost both. Gray carried his home of Harris County 675 to 84 in a typical return. The rest of the counties in the Third District had similar results. Both candidates were strong secessionists, although Wiley's promotion of reopening the African slave trade in 1859 made him the more radical candidate on the public stage.⁴⁰ In this case however, Gray's influence in his heavily populated home and neighboring counties was apparent. These counties would have carried him even if Wiley had managed to win the remaining counties with landslide margins.

The Fourth Congressional District was one of the state's strongest areas of support for slavery and secession. It encompassed the lower end of East Texas from Panola to Chambers Counties and bordered Louisiana. The nineteen counties all held slaves, most with significant numbers ranging from 1,000 to 2,000. Only the four counties in the east section of the district, an area of undeveloped marshes, had small numbers of slaves and produced little cotton. Still, these counties joined the seventeen others in producing staggering pro-secession returns. Discounting Angelina County, the district voted 6,868 to 481 in favor of the referendum. Cherokee County voters returned 1,092 to 31 to secede and Panola County 557 to 5 in typical landslide returns from this district. Angelina County produced the only anomaly with a return against secession 184-139. Sandy and covered with large swaths of pine trees, only the bottomlands of the creeks and rivers supported cotton production. The result was a slow pace of economic development and disconnection between the majority of the population and those

³⁹ There are no records for Falls, Limestone, and Freestone Counties in the Secretary of State's records.

⁴⁰ Baum, *The Shattering of Texas Unionism*, 102.

involved in the plantation system. The economic changes that had swept the district since 1850 were limited in a county that geographically did not support the large numbers of plantation operations as did the rest of the district. Still, even here secessionists carried 43 percent of the vote total in a county that held fewer than 500 slaves.⁴¹

The northern half of the district represented the vanguard of white settlement in Texas under the rule of Mexico. Reflecting the state pattern, the majority of the original settlers were from Upper South states but in the years leading up to secession they were replaced as the majority by Gulf Southerners from Alabama, Georgia and Mississippi. Hardin County had a higher percentage of these Deep South immigrants than any other county in the state while the remainder of the district counted at least half of their population from the region.⁴² From 1850 to 1860 the East Texas region, which included the entire district, became the epicenter of the state-wide cotton boom and a model of cluster migration homogeneity. The former Gulf Southerners fueled the significant increases in improved acreage and slaves as many counties had slave increases of at least 150 percent in the ten years prior to secession. Smith County saw an almost 600 percent increase in slaves while Rusk County could boast an increase of roughly 83,500 improved acres. An established wagon route to Natchitoches, Louisiana, and a recently completed snag clearing of the Sabine River connected the region with hungry cotton markets in the east.⁴³

This homogeneity translated to an apparent unanimity of political opinion beginning with the secession referendum, which the district carried 7,007 to 665 votes, or

⁴¹ Richard B. McCaslin, "Voices of Reason: Opposition to Secession in Angelina County, Texas," *Locus* 3 (Spring 1991): 177-194.

⁴² Jordan, "The Imprint of the Upper and Lower South," 139, 323, 669-672.

⁴³ McCaslin, "Voices of Reason," 179-187.

95 percent. In the gubernatorial vote, Edward Clark polled 4,877 votes compared to Lubbock's 1,980 and Chamber's 1,900. However, when it was time to choose a representative for Congress the Fourth District found itself divided among six candidates. Four of these had respectable results but no one candidate polled more than 31 percent of the total. Lawyer-planter Franklin Sexton won his home county of San Augustine handily as well as neighboring Nacogdoches and Sabine Counties. If nearby Houston and Trinity Counties are included, Sexton picked up 944, or 56 percent, of his vote total in this region. Other candidates had similar results with J.L. Hogg winning his home of Cherokee County with 482, or 59 percent, of that county's total and J.N. Maxey doing well in Polk and neighboring Tyler Counties. Unfortunately, no returns were located from Angelina County.

Although Dale Baum asserts that Sexton was elected to office with virtually no support from those who had voted for secession, Sexton's background would appear to contradict the claim. The state secession convention had chosen him as a representative and he was one of the wealthiest plantation owners in the district, holding 78 slaves and having land valued at \$66,535.⁴⁴ Such a candidate with strong secessionist credentials undoubtedly received some, if not a large part of his support from these voters who were themselves secessionists almost to a man.

The Fifth District began on the Louisiana border in Harrison County, widened to include seven counties stacked on each other, then narrowed to one upon reaching Dallas County and heading west. The district ran horizontally, crossing six distinctive

⁴⁴ Baum, *The Shattering of Texas Unionism*, 106. Baum argues that Sexton's totals came from voters who sat out the secession vote or were anti-secessionist voters claiming that the winning candidate "received virtually no support from former secessionist voters." See also Alexander & Beringer, *Anatomy of the Confederate Congress*, 382.

topographic regions of varying agricultural potential and development. A large swath of Gulf Coastal Plain in the east and a generous strip of relatively undeveloped Black Land Prairie in the middle provided most of the district with an abundance of farm land. Large-scale cotton plantations were common where the population had been established the longest. Harrison County had 8,101 slaves in 1860, the most in the state. Neighboring Upshur, Rusk, and Smith Counties had substantial slave totals, illustrating the intensive development in the eastern part of the district. Power was concentrated in the fifth of the population considered to be large slaveholders.⁴⁵ Every county in the district that returned votes in the secession referendum supported disunion. With the exception of Van Zandt County the numbers were overwhelming. Marshall was the district's major town and the state center of radical politics during the antebellum years. Secession murmurs could be heard as early as 1850 there and men such as Louis T. Wigfall, a South Carolina fire-eater who made Marshall his home, took the political atmosphere towards radicalism. Wigfall's rhetoric, dueling, and contentious nature had even been extreme even for his hometown of Edgefield, the epicenter of southern radicalism. In Texas he had maneuvered his way to the U.S. Senate by 1859, despite advocating Latin American filibustering and reviving the foreign slave trade, two of the most radical political stances on the contemporary political spectrum.⁴⁶ Although a significant conservative element existed in Harrison County—perhaps as much as a third—reason and pragmatism were effectively silenced as the nation hurled towards

⁴⁵ Randolph B. Campbell, *A Southern Community in Crisis: Harrison County, Texas 1850-1880* (Austin: Texas State Historical Association, 1983), 47-53.

⁴⁶ Alvy L. King, *Louis T. Wigfall, Southern Fire-eater* (Baton Rouge: Louisiana State University Press, 1970), 20-22, 67-71. For information regarding radicalism in Edgefield, South Carolina see Lacy K. Ford, *Origins of Southern Radicalism: The South Carolina Upcountry 1800-1860* (New York: Oxford University Press, 1988).

secession. Dallas County, located in the middle of the district had been the scene of vigilante violence during the 1859 gubernatorial election as Houston supporters were attacked as “Black Republicans” and the town had seen extensive damage during the “Texas Troubles,” a wave of fires and subsequent lynchings in 1860.

The race would again go to the candidate whose greatest influence was in the district’s population center. Malcolm Graham of Henderson had been a successful politician, winning the state race for Attorney General on the Sam Houston ticket in 1858. Out of the six congressional races in 1861 he was the only candidate not to campaign, choosing instead to stay and drill with the local regiment he raised after the attack on Fort Sumter. Relying on his residence, friends who spoke for him on the campaign trail, his experience, and possibly his new role as a military officer, Graham swept the eastern five counties 2,481 to runner-up Richard B. Hubbard’s 901. This support provided most of his winning margin in the final tally. He also won his home county of Rusk 661 to 146. Although Hubbard was able to carry the cluster of Kaufman, Van Zandt, and Henderson Counties in the middle of the district where he served as district attorney for the Western District of Texas, his margin of 215 votes there did not put a dent in Graham’s landslide victory. Once again, the candidate who resided in the district’s highest population center won.

The Sixth District was comprised of the top two tiers of counties running along the north of the state. Its topography mirrored that of the Fifth District albeit with a much larger section of underdeveloped Black Land Prairie concentrated in a six-county cluster near the middle of the district. Like the First District, its geographic and demographic diversity made its political divisions unique. Despite the potential for large-scale cotton

production, this part of the state was disconnected from the Lower South cultural centers in the east by the absence of railroads and inconsistent conditions on the Red River. Populated mainly by those with a connection to the Upper South, agriculture mostly consisted of wheat, corn, and the absence of slaves. Most farms were small subsistence operations as shipping flour east was too costly for many. As a result the main purchaser of most of the region's goods was the Federal government in the form of frontier military outposts and the neighboring Indian Territory. Not surprisingly, this tenuous connection to the Confederate cause saw the Sixth District's voting totals go narrowly against secession 4,885 to 4,833. Confederate North Texas has often been noted for the strong areas of dissent based largely on these anti-secession votes. This is sometimes attributed to Unionism but recent research shows that a class antagonism existed there as well. North Texas probably supported the institution of slavery as a marginal productive force but not as an integral part of the economy. This attitude was typical of the Upper South, the origin of many North Texans. Many of these former Tennesseans, Kentuckians and Missourians resented domination by the slaveholding elite. In their eyes planters dominated regions of the South by virtue of their disproportionate power through slavery's economy of scale. The voters of this region also traditionally identified with the Whig Party and were reluctant to embrace the increasingly radical Democrats in Texas, who had become strongly identified with the planter class. The high anti-secession vote in some parts of this region was, in this view, a vote against the increase of planter domination in Texas politics.⁴⁷ These Texans saw their economic future in

⁴⁷ Kenneth Wayne Howell, *Texas Confederate, Reconstruction Governor: James Webb Throckmorton* (College Station: Texas A&M University Press, 2008), 5.

railroad development, with its promise of linking small farmers to distant markets.⁴⁸ The district's center of secession was the seven counties in the east. The Red River became consistently navigable here and local cotton producers were connected to the worldwide market.⁴⁹ Both Bowie and Marion Counties had majority slave populations. The four western frontier counties on the far western reaches had small returns in all elections during the war.

Political sentiments in both the lower southeast and central portions of the district were tempered. Potential Black Land Prairie Unionism based on economic dependence on the Federal government and Upper South cultural demographics was hurt in the mid-1850s when the U.S. Army was unable to deal with the Indian guerilla raids because of manpower and tactics. These residents also feared the incursion of abolitionist vigilantes from Kansas. These fears were exacerbated by the Texas Troubles, which affected this district more than any other.⁵⁰ A climate of violence and fear persisted as Texas went to war. A plot in January of 1861 to break the region off from the state in the event of secession was snuffed out with a wave of lynchings and in the Lower South eastern counties prominent Unionists such as James Throckmorton resided. Benjamin Epperson, a Clarksville lawyer, civic leader and former legislator was one of the most significant. In his role as a railroad promoter he had become one of the state's wealthiest citizens by 1860. Best described as a constitutional moderate, he was openly opposed to the removal of Sam Houston for not taking the Confederate oath and in a notable meeting with the soon to be deposed governor, strongly advocated accepting President Abraham Lincoln's

⁴⁸ Ibid., 53, 72.

⁴⁹ Buenger, *Secession and Union*, 64-66.

⁵⁰ Floyd F. Ewing Jr., "Unionist Sentiment on the Northwest Texas Frontier," *West Texas Historical Association Yearbook* 33 (October 1957): 59-62.

offer to send Federal troops to Texas. When secession became reality he took the Confederate oath, but his past political positions made him vulnerable when he decided to enter the Congressional race.⁵¹

His main opponent was William Bacon Wright, a prominent Paris attorney who had chaired the committee charged with drawing up the plans for secession. Four candidates canvassed the district together speaking at scheduled events one after another. Wright put Epperson on the defensive for being unsound on secession while the later pleaded for the "Good sense and intelligence of the people" and tried to explain why he had earlier condemned the secession convention.⁵² On election day, Epperson's wealth, influence, and stump reasoning could not overcome Wright's influence and secessionist credentials. Because both candidates hailed from the town of Paris, the bailiwick cancelled itself out, although both candidates had their highest county total there with Epperson winning 555 votes to 459. The avowed unionist also carried neighboring Red River and Titus Counties but not by substantial margins, 1,296 to 851. Wright carried the six Black Land Prairie counties 1,796 to 770 en route to winning the seat.

In the end there appeared to be no correlation between the secession vote and support for Epperson. Red River County, which had voted for secession 347 to 284, also supported Epperson overwhelmingly with 475 votes to Wright's 197. Fannin County had voted against secession 656 to 471 but supported Wright with 375 votes to Epperson's 173. The Black Land Prairie voters who put Wright into office were swayed by both his campaign's better organization and the inability to forget Epperson's recent Union support. The label the *Paris Advocate* placed on Epperson as an "unconditional

⁵¹ Ralph A. Wooster, "Ben H. Epperson," *East Texas Historical Journal* (March 1967) 5: 31-33.

⁵² Benjamin Epperson, Speech at Bonham in *Ben Holland Epperson Papers*.

submissionist to Mr. Lincoln's administration and entirely unreliable in the great issue of the day" was too much for even his wealth and influence to overcome.⁵³

From the 1861 congressional elections we can conclude that the results mirrored political trends in the state. Opposition to secession was a liability as was being from a low population area. In races where all candidates were trying to closely identify with the South and the new Confederate nation, personalities mattered, the only issue at times was one's loyalty to the cause. However, races ultimately hinged on the support a candidate received from his home county and the nearby area of influence. This would change at the midterm elections.

⁵³ Ralph A. Wooster, "Ben H. Epperson": 34.

CHAPTER III

Indians and Exemptions: The Loss of Confederate Support in Texas and the 1863 Congressional Elections

San Augustine attorney Franklin B. Sexton boarded a stage coach on July 23, 1862, to travel to Richmond and fill his recently won congressional seat in the First Congress. A consistent diarist, his entries illustrate the itinerant nature of travel in the mid-nineteenth century through the American South. Dependent on the hospitality of Louisianans with extra rooms for sleeping, five days later he crossed the Mississippi River and just over a week later was in Mobile, Alabama, where he witnessed a bottleneck of citizens and troops clamoring for places on a train headed east. He arrived in the new Confederate capital of Richmond, Virginia, on August 14, twenty-two days after he set out from East Texas.

Sexton's diary reflects the internal divisions that were quickly forming within the First Congress and his initial impressions were naturally of Henry S. Foote, the volatile anti-Administration congressman from Tennessee. Sexton, writing with a mixture of concern and amazement, watched as Foote's attacks took up several days of business.⁵⁴ Foote's story often reflected the sensational side of the Confederate Congress. He was involved in physical altercations in which he produced a variety of knives and guns. His

⁵⁴ Mary S. Estill, ed., "Diary of a Confederate Congressman, 1862-1863," *Southwestern Historical Quarterly* 38 (April 1935): 332-348.

vitriolic attacks on Jefferson Davis were often personal.⁵⁵ This went back to their long history of political opposition that began in campaigns for Mississippi's senatorial and gubernatorial offices. Once, their disagreement over the right of secession and the Compromise of 1850 led to a fistfight as the budding Secessionist Davis clashed with the Unionist Foote.⁵⁶ Twelve years later, Foote would represent East Tennessee, one of the most reluctant regions in the South on the secession question. Foote's political contention also illustrated the more legitimate divisions within the body. Davis seemed to alienate many individuals throughout the war and what started as differences in personality often evolved into political opposition.

Sexton's first impressions illustrate one of the major problems faced by the Confederate government. The Confederacy was, depending on one's point of view, either a one-party government or a no-party government. The Democrats had become the sole party throughout the South with the demise of the Whigs and the stillbirth of parties such as the American Party and efforts to create a fusion ticket. Many politicians were lumped into their state Democratic parties where the most radical members were ascendant, having been vindicated by secession. Yet, when the time came to legislate, disagreements based on political philosophies did not coalesce into platforms, with the end result that traditional party line discipline vanished. Instead, loose coalitions of congressmen who sided with or against the administration in varying degrees became the norm. Often it seemed that congressmen in the Confederacy were only beholden to themselves and their constituencies. In Texas five of the six congressmen in the First Congress sided with President Davis. Caleb Herbert was the only member who fought

⁵⁵ McPherson, *Ordeal by Fire*, 361.

⁵⁶ Warner and Yearn, *Biographical Register*, 86-87.

the administration, which he did at every opportunity. Various studies have attempted to correlate pre-war party affiliations to discern a pattern that predicts the emergence of political parties within the Confederacy. The data instead shows that how directly the war was felt within the district often influenced a congressman's vote. Without party loyalty and discipline one can see how conditions and events influenced the congressmen to act almost exclusively in the interest of their district. The choices at the polls on August 3, 1863, are a window into conditions on the home front and therefore also serve as a de facto public referendum on the war at its midpoint. Confederate Texas provides a clear story of growing disenchantment with the rebellion.

With disunion Texans knew that the immediate danger to their state was not from Union forces but from the frontier that surrounded three-quarters of the state. The western frontier of Texas provided its citizens and the Confederacy with a unique problem. Over four hundred sparsely populated miles stretched the length of the state. On one side was the slow juggernaut push of white settlers and on the other independent nomadic Indian tribes. The tribes posed both physical and psychological trauma for many Texas. As accomplished horsemen, Comanche and Kiowa warriors were able to range far into the state and raid beyond the line of settlement. As historian T. R. Fehrenbach notes, most of the whites who died from Indian raids in Texas did so behind the agrarian frontier, "...in a real sense all Texans comprised a frontier population," illustrating the potential for Indian raids that all Texas experienced to various degrees. The violent nature of these raids also struck fear into the hearts of Texans as captives were frequently tortured and mutilated.⁵⁷

⁵⁷ T.R. Fehrenbach, *Comanche: The Destruction of a People* (New York: Knopf, 1974), 442.

The frontier issue played a central role in Texas politics in the years immediately preceding the secession crisis. The most obvious example of this was Sam Houston's 1859 gubernatorial victory over Hardin Runnels. Runnels campaigned partly on his ability to solve the Indian problem in 1857. Despite the intense sectional turmoil that engulfed the entire nation, antebellum Texans considered their most pressing threat to be the Indian attacks occurring in the northwest part of the state and Juan Cortina's attacks along the Mexican border. Runnels' perceived inability to handle the frontier and Houston's remade image as an Indian fighter trumped the impending sectional crisis as campaign issues in the 1859 race.⁵⁸ This concern would grow during the Civil War as the depleted and near-defeated Plains Indians surged back in the absence of effective resistance. Before the war almost 3,000 troops stationed in Texas represented a full one-fourth of the U.S. Army at the time. These soldiers had begun to turn the tide against the Comanche and Kiowa in the years leading up to the war. With secession, the Federal system of forts disintegrated. During the first two years of the war the Comanche and Kiowa slowly began to reassert themselves as they realized the forces that had nearly pushed them out of the state were now either greatly reduced, of poorer quality, or gone completely. In 1861 and 1862 thirty-two counties had citizens killed by Indians. Six of these counties stand out having each had from 20 to 40 settlers killed.⁵⁹

The state and Confederate policy responses illustrated the states' rights versus manpower dilemma that was a factor in the shift in Texan politics at the war's midpoint. Texan settlers arguably had one of the Confederacy's best cases for keeping its men in their state. The year of secession showed a steady increase in Indian attacks that picked

⁵⁸ Haley, *Sam Houston*, 361-365. See also Fehrenbach, *Comanche*, 439.

⁵⁹ Clayton E. Jewett, *Texas in the Confederacy: An Experiment in Nation Building* (Columbia, University of Missouri Press, 2002), 96-98.

up in 1862. By the winter of 1863 the men and horses of the Texas frontier regiments had been greatly reduced by the state's large cavalry enlistments. The raids continued to increase in strength and ferocity. Cook, Denton, and Wise Counties were attacked simultaneously in February. Parker County was attacked soon after. In the summer leading up to the fall congressional elections, rumors swirled about a large alliance of southern and northern tribes preparing for a massive offensive.⁶⁰ The time-tested tactic had been to pursue raiding Indians into their own lands, including Indian Territory if need be. However Confederate officials discouraged this early in the war in an effort to keep the tribes on their side.⁶¹ The Texas legislature had approved a bill to raise nine companies to protect the frontier as early as December, 1861. State officials hoped that the Confederacy would also pay and provision these troops. However, Texas lawmakers wanted these troops to be subject to Texas authority only and remain in the state for the entire war. In January 1862 a bill to those effects was sent to the Confederate Congress and soon passed, only to be vetoed by President Jefferson Davis. At the time Davis was struggling with state governments over the control and administration of troops and would not give in regardless of the need.⁶²

In retrospect, Davis's resistance to Texas is surprising. His experience as President Franklin Pierce's Secretary of War in the early 1850s had come at a time when the War Department's primary task was protecting settlers on the advancing frontier. At only 10,417 men, America's armed forces were too small for the task (most scholars agree that Texas alone needed a minimum of 3,000 troops to be effective). As a result,

⁶⁰ Rupert N. Richardson, *The Comanche Barrier to South Plains Settlement* (Austin: Eakin Press, 1996), 272-3, 282.

⁶¹ David Paul Smith, *Frontier Defense in the Civil War: Texas' Rangers and Rebels* (College Station: Texas A&M University Press, 1992), 36-37.

⁶² *Ibid.*, 36-43.

they were spread thin. Davis advocated for, and won, both a higher pay scale for soldiers and the expansion of the total troops authorized by Congress in a direct effort to remedy the problem. The crucial issue, as Davis saw it, was the improvement of land transportation, thus his support of a trans-continental railroad. Davis's oft-cited experiment of bringing camels to the Southwest was based on his belief that the animals provided the solution to transporting light cannon and infantry into the vast and arid Indian wilderness, a conclusion he reached after studying Texas specifically.⁶³ He was the first federal politician to approach the problem logically, advocating fast responses from a mobile and aggressive cavalry. These were lessons the future Confederate President took from the Texas Rangers directly.⁶⁴ However, in the struggle for manpower between Richmond and the states Davis felt compelled to exert his executive authority, pulling troops from the Texas frontier. The President's correspondence shows that he stripped Texas of soldiers to meet what he considered to be more pressing fronts, especially Arkansas after the Confederate loss at Pea Ridge. Additionally it has been speculated that Davis saw the value of Texas in increasingly narrow terms. The profits from the Texas cotton industry aided Texas merchants more than the Confederacy, especially considering deteriorating transportation conditions in the Trans-Mississippi region. Raw goods such as munitions and beef were also far and disconnected from where they were needed near the war's major engagements. To Davis, Texas could best help by providing men.⁶⁵

⁶³ William J. Cooper, *Jefferson Davis, American* (New York: Alfred A. Knopf, 2002), 245-258.

⁶⁴ *Ibid.*, 416.

⁶⁵ Joseph G. Dawson, "Texas, Jefferson Davis, and Confederate National Strategy," in *The Fate of Texas: The Civil War and the Lone Star State*, ed. Charles D. Gear, (Fayetteville: University of Arkansas Press, 2008), 16-23.

Exacerbating the situation on the Texas frontier was the news that reached the frontier in mid-April of 1862. The Confederate Congress had passed the country's first military draft. Its initial effect on the frontier troops was to further confuse the structure of authority between state and country. Men were drawn away from the frontier and the frontier regiments were forced to patrol larger areas. Indians further probed the porous lines of defense.⁶⁶ Additionally, the draft raised the pressure on some who refused to enter the war and the frontier felt a new threat in the form of criminal bands, draft dodgers and deserters. As the war wore on, these groups increased in number, so that they became the primary focus of frontier defense by war's end.⁶⁷ That Davis would twice veto Texas' request over chain of command issues seems quibbling in retrospect. It must have seemed so to many contemporaries as well.

Texas's request, despite the very real threat, was debated for the next two years. Governor Lubbock's direct plea to Davis in February, 1863 was again refused over the original issue of state versus centralized control. Soon after, four western frontier counties with small white populations, Montague, Young, Jack, and Wise, all experienced gruesome raids. Shortly after this wave, both Cooke and Denton were attacked. Texans now had a legitimate foundation for the growing opinion that Richmond was disconnected from the situation on the frontier and indifferent to the needs of the home front. Most likely it was at this time when the state's discontent with the President began to take shape. Three months after the congressional elections, the state legislature would again debate a transfer of the Frontier Regiment to the Confederacy, which Richmond would finally accept in February of 1864. The late passage of this act

⁶⁶ Smith, *Frontier Defense*, 44-45.

⁶⁷ *Ibid.*, xii.

illustrated two realities. First, the frontier had been effectively another front during the entire war. Its deteriorating conditions were not addressed until they were out of hand. Second, Richmond had finally accepted that some states had a real need to retain troops to defend themselves and also that able-bodied men of draft age had ignored the conscription act and remained at home. State frontier regiments were an open but necessary defiance of Confederate authority. This salient fact illustrates what Owsley and those who followed his school of thought have overlooked: Texas was involved in a two-front war. The Confederacy's main theaters of war might be to the east, but Texas's frontier was crucial to the state. Important battles might have been turned in favor of the Confederacy had a few thousand frontier troops instead been at the Cornfield in Antietam or Little Round Top but these troops were not expendable, lest the entire Texas frontier collapse. Fehrenbach has noted that even with the troops that did stay, the white frontier still contracted backward as much as 50 to 200 miles in some places.⁶⁸ This figure has been echoed by every major work concerning the line of settlement in Texas during the Civil War. Of course, this push back was not achieved based on large numbers of Indians. Raids continued to be small scale and vividly brutal. The terror and cruelty of these attacks allowed the Indians to exert a disproportionate amount of fear among settlers. The number of Indian attacks and Texan deaths placed beside the massive displacement of the white frontier illustrate that terror rather than physical force allowed the Indians to have a great effect with depleted numbers. Scenes of torture and mutilation and the ensuing tales caused many Texans to pack up and retreat eastward. This fear would later turn to open hostility for some congressional members and become a major

⁶⁸Fehrenbach, *Comanche*, 442, 452.

issue in the upcoming elections. Some of this discontent would be manifested in the Confederate government's most controversial law, conscription.

The conscription act illustrated political and military conditions within the Confederacy once the war was in full swing. Most importantly, the initial fervor that went with secession had faded on the home front. Many able men had not enlisted to fight for independence. The agricultural status of the South meant that many of these men were needed to run operations at home and keep food production up.

Within the Confederate Congress, the conscription saga could roughly be split into two parts. First, the introduction and major changes to the act took place through much of 1862. The expansion of age limits, substitutions, and exemptions reflected the experimental nature of the policy as the congress attempted to respond to constituent concerns. By September 1862, however, reports began to creep in of abuses and corruption as men sought to evade enlistment. Congress sought to curb these abuses by whittling away the substitution provisions in November 1862, marking the beginning of the second phase of the conscription act, characterized by the backlash against it. In February 1863 substitution was abolished.

Militarily, this backlash coincided with a period when the entire Confederacy was under threat. This had a dual effect as threatened communities cried out for local defense and strained rebel forces needed to bolster their depleted troop totals. This battle over the Confederacy's most precious resource—manpower—pitted the political forces of regionalism against centralization. In the summer of 1863 many congressmen, fearful of their more local-minded constituents, attempted to scale back the act while the agencies of the Administration, most notably the Bureau of Conscription, launched full-scale

investigations to enforce it. Conscription became a major campaign issue during the 1863 congressional elections on a number of levels. For those who supported it campaign speeches seemed to be sales pitches to reluctant crowds, desperate attempts to explain the act's necessity or promises to correct its ills. Peter Gray of the Third District unsuccessfully tried to promote conscription, singled out those who abused it, then reasoned with voters on the philosophy of an offensive war.⁶⁹ Others such as Caleb Herbert reacted with near treason, advocating Texas secession from the Confederacy. On the floor of the House he famously threatened that the Congress "would not do to press the conscription law too far upon the people. If it became necessary to violate the Constitution, as some gentlemen admitted, I would be for raising in my state the 'Lone Star' flag that had twice been raised before."⁷⁰

Most of the newspapers in Texas had turned against conscription by August 1863. Whether this reflected or guided public opinion is debatable. What will be shown is that it was a major issue in the mid-term congressional elections, thus reflecting a shift away from the public's initial support for the Confederacy that was shown in the secession referendum.

The establishment of the nation's first draft was simultaneously one of the Confederacy's greatest achievements and biggest blunders. Without question it allowed the Confederacy to extend the war much longer than it could have gone had the act not passed. Many men who had not enlisted initially now did so voluntarily so as to avoid the stigma of being forced to fight. More importantly, it kept the experienced, battle-tested men from the previous year who otherwise would have served their twelve-month

⁶⁹ *Tri-Weekly News* (Galveston), June 2, 1863.

⁷⁰ Alexander and Beringer, *Anatomy of the Confederate Congress*, 106.

commitment. It saved the Confederacy not only in the summer of 1862 but kept in the field the great armies that were the foundation of the rebellion in 1863 and into 1864. Conscription also revealed the political fissures within the South that at times threatened to unravel the Confederacy from within. Confederate Senator Williamson S. Oldham challenged the constitutionality of an act that forced citizens into service, usurped state governments, and allowed for the possibility of military rule. The first test case for the act's constitutionality that ascended to a State Supreme Court was in Texas, which like most of the other states ruled in favor of the act.⁷¹

All of the major acts of the Confederate Congress directly conflicted with state sovereignty. The suspension of habeas corpus conjured illusions of military despotism. Impressment was, besides taking food and goods out of the hands of the local population, forever tied to the increasingly worthless Confederate bond and dollar. In the last years of the war three-fourths of the Texas legislature was on record opposing it.⁷²

Conscription though was ultimately the biggest sacrifice, however, as it took men from their families, work, and homes to fight and possibly die in some distant state. This happened enough in Texas that news of the many deaths and casualties began to cut into recruitment efforts and increased desertion rates. It became such an issue that Governor Lubbock asked the legislature for \$600,000 to aid families who had lost husbands and fathers in battle.⁷³ When the Confederacy suffered a run of military setbacks, discontent with either the president, the war, or both sprang up within each state. From the peasant

⁷¹ Moore, *Conscription and Conflict*, 167-169. See also Williamson S. Oldham, "Memoirs of a Confederate Senator, 1861-1865" Center for American History, Austin, Texas. Without an existing Supreme Court nationally, the state supreme courts were the final legal opinion.

⁷² Jewett, *Texas in the Confederacy*, 199.

⁷³ Vicki Betts, "A Sacred Charge in Our Hands": Assisting the Families of Confederate Soldiers in Texas 1861-1865," in *The Seventh Star of the Confederacy: Texas During the Civil War*, ed. Kenneth W. Howell (Denton, TX: University of North Texas Press, 2009), 251.

farmer in North Carolina to Georgia politicians speaking directly against Richmond, the conscription act meant when faced with no other choice but to fight, a significant part of the southern male population chose to fight their government. The general sentiment, especially along the Texas frontier, was that enrollment in the state militia was a surer means of protecting one's home and property. As a result, a significant number of potential confederate soldiers instead enrolled in state forces between the initial wave of enthusiasm and implementation of the conscription act.⁷⁴ This could most likely be attributed to waning enthusiasm upon the realization that the war would not be over quickly after the Battle of Manassas. Examination of correspondence shows that many Texas wives expected the war to last weeks, maybe months, and the cycles of agriculture would only momentarily be disrupted with the absence of their husbands.⁷⁵

The act itself was most tainted by two features, the substitution and exemption clauses, and it was these exceptions that were discussed in almost every midterm congressional campaign in Texas. Substitution allowed principals to pay a substitute, originally under the pretense that the principal was needed in some essential industry. This was soon worked around so that substitution essentially became wealthier men paying off poorer ones to fight. The exemption clause came later and allowed a range of occupations (specifically spelled out this time) to be excluded from the draft. The "twenty slave" or "overseer" exemption was especially controversial. This exemption was for large plantation overseers, large being defined as having twenty slaves. Substitution and the twenty slave exemption both put an element of class favoritism into the already controversial conscription law. It was not unreasonable that some in the

⁷⁴ Ibid., 116-124.

⁷⁵ Ibid., 246-247.

lower classes began to see the upper social structure as exploiting them to serve their desire to preserve the lucrative slave labor system. The familiar slogan of “rich man’s war, poor man’s fight” began to be heard throughout the South. To the planters the clause was absolutely necessary. Slaves had been restrained by overseers for generations. A sudden unsupervised mass of slaves roaming through the land was out of the question. The specter of a slave revolt was always in the background although the state’s antebellum revolts had been disorganized, small and, possibly fabricated to radicalize the political base.⁷⁶ Most white overseers also believed slaves had neither the will nor knowledge to farm without oversight. They reasoned that to keep food production going white men were needed to keep slaves working. Planters brought these concerns to Richmond directly and won their exemption.⁷⁷

Of all of the acts passed by the Confederate Congress, conscription provided the clearest lines of opposition to President Davis. Men such as Congressman Foote, Vice-President Alexander Stephens and Senator Oldham openly led a states rights group based on vague constitutional arguments with an intense fervor. By looking at significant events within the state and following subsequent midterm campaigns and election results, it is possible to identify a strong disapproval of the Davis Administration from Texas voters.

Economically, Texas was affected by the war, especially those businesses that depended on coastal trade. One week after the firing on Fort Sumter Lincoln ordered the blockade. Much derided in the press, the “anaconda plan” was characterized by thin resources (the entire federal blockade consisted of 42 ships) and a vast coastline (there

⁷⁶ Wendell G. Addington, “Slave Insurrections in Texas,” *Journal of Negro History* 35 (October 1950): 408-434.

⁷⁷ Moore, *Conscription and Conflict*, 70-71.

were 189 Southern ports). The Union did not have enough vessels to be effective in Texas. There were too many embayments and a long barrier island for blockade runners to hide in. Despite this, fear and the occasional captured runner stifled trade in the state. The shipment of raw goods coming from the East ground to a halt. Texas became increasingly isolated and all internal river improvements stopped. Coastal towns feared bombardment. Half of Galveston's population moved inland in the early years of the war.⁷⁸

With increased anxiety about the Union blockade in the Gulf, Texans began to move many goods—especially cotton—through Mexico. In fact, a thriving trade boomed on the border. Richmond's quest for foreign recognition by withholding cotton from the world market was disagreeable to most Texans. The staple's importance and profits were too vital to leave to what many Texans saw as a questionable centralized policy. Soon after the implementation of the Union blockade and the Confederacy's failure to extend itself to the Pacific Ocean, the only viable remaining outlet for Western cotton went through Matamoros, Mexico. The Confederate Congress relaxed the cotton restriction for Texas in large part because of the ease and great profitability of the enterprise. As a result, cotton shipments from all over the Trans-Mississippi states slowly made their way through San Antonio and down to Brownsville. These two South Texas towns became bustling economic centers. Conflict with Richmond emerged over the issue of impressment as the government attempted to tap into the huge profits being made on the border and by speculators in San Antonio.⁷⁹ Most likely dissatisfaction with the policies

⁷⁸ Richard V. Francaviglia, *From Sail to Steam: Four Centuries of Texas Maritime History 1500-1900* (Austin: University of Texas Press, 1998), 189-220.

⁷⁹ Ronnie C. Tyler, "Cotton on the Border, 1861-1865," *Southwestern Historical Quarterly*, 78 (April 1970), 212-224.

stemmed from the bonds offered by the Confederate government, which certainly must have seemed increasingly worthless as the war went on, regardless of the increasing amounts of interest offered.

South Texas was represented in the First District by one of the delegation's most active congressmen. By most accounts and his voting record, John Wilcox was a strong supporter of the administration. Philosophically, he felt that a president should have more power than the congress during times of war, based on the need for expediency. As a result he became a main legislative conduit for the administration. In fact, the measures he introduced all came directly from Jefferson Davis. In Texas's direct interest he only objected to Confederate attempts to withhold cotton from the world market. Between sessions he volunteered as an aide to General John B. Magruder.⁸⁰

The close association of Wilcox with the increasingly unpopular Confederate administration made him vulnerable in the midterm congressional election. The general sentiment in the state was that the Confederate government had done a poor job of dealing with the Indian issue. Although the Indian raids in the northern districts of the state have received more attention from historians, five of the six highest county totals of settler deaths from Indians in 1861 and 1862 were from the First District. Despite this, the raids seemed to have not been a major issue during the campaign. Other hardships included a sharp rise in food prices in San Antonio, so much so that families faced starvation were it not for the large number of aid societies that had been mobilized in the city.⁸¹

⁸⁰ Wilfred and Yearn, *Biographical Register*, 257-8. See also *San Antonio Herald*, July 18, 1863.

⁸¹ Vicki Betts, "A Sacred Charge Upon Our Hands," 247-252.

Hays County lawyer-planter-rancher John Wheeler Bunton mounted a vigorous campaign to unseat the incumbent Wilcox. Bunton had served in the House of Representatives of the First Congress of the Republic of Texas and two sessions later was credited with the bills that established the Republic's postal system, judiciary and Rangers.⁸² His involvement with the Rangers made the absence of the frontier issue during the campaign even more perplexing. In what would become a recurring campaign topic in the other districts, Burton criticized Wilcox's support for the conscription act and called exemptions "odious and unjust." He framed the argument in tones of class conflict, pointing out a lack of taxes on planters and stock raisers. Politically, he criticized Wilcox for what he saw as a cavalier switching of political loyalty, tracing the incumbent's history as a Unionist Whig and American Party supporter. He also pointed out to voters Wilcox's lack of service in the old Texas Army despite being "young and able bodied as he was." Bunton contrasted this with his own record, which included fighting at San Jacinto.

Wilcox responded that he had been in the American Party but did not adhere to its "religious aspects." To counter Bunton's criticism of his military record Wilcox noted his actions in seizing Federal property at the beginning of the war. He could also mention his service under McGruder. The incumbent also had the support of the region's newspapers, which defended his policies and questioned what one editor called Bunton's "bad taste." Most significantly, Wilcox went to lengths during the campaign to point out his strong support for the Davis Administration.⁸³

⁸² Texas State Cemetery records, State of Texas, http://www.cemetery.state.tx.us/pub/user_form.asp?step=1&pers_id=106 (accessed August 3, 2009)

⁸³ *San Antonio Herald*, July 18, 1863 and July 25, 1863. See also *Galveston Tri-Weekly News*, July 15, 1863.

Suggesting a potential close race at the congressional midterms, the two opposition candidates in 1861 totaled 2,862 votes to Wilcox's 3,092. However, Bunton was not able to coalesce these same opposition votes, instead losing in a landslide 2,853 to 1,762. Wilcox was able to win seven counties he lost in 1861 and limit his losses in the eight-county cluster he lost in 1863. This area was centered around Goliad and the surrounding five counties, extending down to Nueces County, where Bunton enjoyed his most support. Two-thirds of Bunton's 1,666 total came from this area where Wilcox had previously lost large two years prior, yet Wilcox still managed to pick up 593 votes there. Despite the loss of El Paso (by August of 1863 under Federal control) and a much lower turnout in San Antonio and Bexar County (totals had dropped by half), Wilcox was able to gain large margins and percentages in the counties he won. Interestingly for a strong administration supporter, he did very well in the pocket of anti-secession counties northwest of San Antonio. German immigrant stronghold Gillespie County went 234 to 38 for Wilcox. As expected, voting totals were down in this second year of the war but the First District did show notable voting increases in two areas. Although three frontier counties voting in 1861 had no returns in 1863 the seven that did vote in the second election increased their returns from 688 to 799 (Kendall County was created out of Kerr County in 1862 and returned votes in 1863). This illustrates both that there were definitely men who voted in 1863 who had sat out the 1861 vote and that the drastic contraction of the western Texas frontier was not as pronounced on the southwestern end of the state. Coastal counties Nueces and Calhoun also saw significant increases in their vote totals. However, most counties saw their numbers decrease, especially the large vote total drops along the Mexican border. Wilcox's strong identification with Jefferson

Davis and his recent military outing played well in the district. “Colonel Wilcox” as he was called in the newspapers, illustrated that even in two significant areas of anti-secessionism voters supported Wilcox’s and Davis’s efforts and methods to win the war.

Although its scope and intensity has been largely ignored, the area surrounding Austin County in central Texas became one of the Confederacy’s greatest areas of resistance to the war. As a result the Second District centered around one of the most virulent centers of anti-conscription sentiment in the entire Confederacy. In late December 1862 a large number of men refused to be drafted in the town of Industry in Austin County. The situation was resolved when a mob turned violent against an enrolling officer, beating him with fists, sticks, and iron bars. One week after the incident the same county was the scene of a large anti-conscription meeting at which six hundred men were reportedly present.⁸⁴ This was a swift and notable shift. One of Texas’s oldest German settlements, almost half of Industry’s voters had supported the secession referendum.⁸⁵ “Resistance companies” formed in the heart of the district. Washington, Fayette, Lavaca and Colorado Counties all had organized opposition groups and a series of speakers frequently spoke out against not only Confederate conscription but state service as well. On January 4, 1863, between 500 and 700 men organized in Austin County to openly oppose the draft. Reports came in from area enrolling officers of once-secret meetings now held openly. William G. Webb, a Confederate Brigadier-General serving in Texas feared a civil war might erupt in this region of Texas with the Confederates greatly outnumbered there. The discontent seemed to come mainly from

⁸⁴ Georgia Lee Tatum, *Disloyalty in the Confederacy* (New York: AMS Press, 1970), 46-48.

⁸⁵ Walter D. Kamphoefner, “New Perspectives on Texas Germans and the Confederacy,” in Charles D. Grear, ed., *The Fate of Texas: The Civil War and the Lone Star State* (Fayetteville: University of Arkansas Press, 2008), 112.

the German communities in the area with the main issue being a perceived neglect of the home front. A declaration at one such meeting clearly illustrated that inflation, starvation, and other ills were hardships these citizens directly blamed on the war. The declaration pointed to a “duty more sacred than defending one’s country— the duty of maintaining one’s family.” The declaration continued, “Furthermore, we decline taking the army oath (as prescribed) to the Confederate States, as we know of no law which compels Texas troops, who are designated for this State, to take the same.”⁸⁶ Citizen concerns about the basic lack of necessities soon shifted to something even more ominous—lawless bands roaming the area.

In the western part of the district the state capital Austin was still an outpost in some ways. Still beyond the reach of telegraph and rail, it was home to about 2,500 whites and 1,000 slaves on the eve of the Civil War. The town and the surrounding county had rejected secession decisively but Ft. Sumter and President Abraham Lincoln’s call for troops made the Confederates ascendant. The town remained divided from secession to the 1863 elections. While anti-Confederates openly protested just two counties to the east, they kept underground in Austin. This caution was sustained by the misinformation that resulted from both the deteriorated communications with all points in the east but also deliberate false reporting and censorship of unfavorable news by the town’s Confederate newspaper. Three weeks after Gettysburg, Austin’s remaining newspaper, the *Tri-Weekly Gazette*, was running stories of General Lee’s successful invasion of the North, while church bells rang with the false news of Confederate victories at Pea Ridge and Shiloh. The summer of 1863 saw the town’s citizens seized by the ongoing saga of the siege of Vicksburg although they still received false

⁸⁶ Official Records of the American Civil War, Series 1, volume XV, pgs. 926-929.

information.⁸⁷ Two weeks before the election the truth could no longer be withheld and 665 voters went to choose a congressman knowing Vicksburg had fallen, Gettysburg was a massive defeat for the Confederacy and, more pertinent to Texas, that they were all now even more removed from the East and effectively, the war.

Consequently Herbert could rightly be called the Henry Foote of the Trans-Mississippi. His biography notes that he did not support any measure that hinted of centralization and openly threatened that Texas would secede from the Confederacy if the draft went on. A radical states' righter, a return of his home state to the status of independent republic seemed to be his guiding political philosophy by 1863.

Herbert's landslide election win of 3,404 to 2,396 reflected the disposition of most of the district. His threats concerning Texas possibly leaving the Confederacy were well-known throughout the state. He also tapped into the sensitive issue of class legislation, especially the exemption laws, among the heavy German and Czech populations that made up many counties. His 5,800 votes amounted to almost 60 per cent of the total ballots and he won thirteen of the nineteen counties in the district.

Herbert's opponent was state senator Eggleston Townes of Manor, who worked as a judge in nearby Austin. Townes was able to carry some clustered pockets of counties, the same that 1861 runner-up Fred Tate had won. Once again, their average population was much smaller than those of the counties Herbert won. These six Coastal Plain counties east of Herbert's home county, including Fort Bend, Wharton, Jackson, and Lavaca, went for Townes as did Bell and Milam Counties in the northern part of the district, an area that had gone heavily for third place finisher A.M. Lewis in 1861.

⁸⁷ David C. Humphrey, "A Very Moody and Conflicting' View: The Civil War as Seen from Austin, Texas," *Southwestern Historical Quarterly*, 94 (January 1991), 369-414.

Herbert's strength continued to be the heavily populated counties in the geographic and agricultural center of the district. In this politically charged area three counties increased their total votes and the others had small drops in turnout. All went heavily for the incumbent 2,252 total votes to 988. While Townes' two clusters netted him 1,053 votes the central nine counties for Herbert returned him 2,730, almost 70 per cent of the total. He impressively carried Austin County, the heart of the anti-conscription movement in Texas, 517 to 62. The state capital Austin and surrounding Travis County, apparently weary from the war, supported the radical incumbent 457 to 208.

The Third District suffered the most direct Union contact, mostly due to the blockade's efforts along the coast and the district's economic and population concentration there. With Galveston at its focal point, the district was one of the state's most militarily affected regions from 1861 to 1863. By November 1861 Union artillery began to shell the city and in the spring of 1862 a call for Texas troops to defend Arkansas began to thin out the city's defenses. That August, Union commander David Farragut ordered the blockade tightened along the Texas Coast. In October Union forces arrived for their attempt to seize the Queen City, culminating with the Battle of the Bay on New Year's Day 1863.⁸⁸

In addition to the direct assaults on the physical and mental state of Galvestonians other hardships hit the once wealthy city. Although one historian has estimated that 85 percent of all blockade runners on the Texas Coast succeeded, trade decreased dramatically. While an estimated 193,000 bales of cotton left the port town the decade prior to 1860, only 25,000 to 50,000 bales were exported from all Texas ports during the

⁸⁸ Donald S. Frazier, "Sibley's Texans and the Battle of Galveston," *Southwestern Historical Quarterly* 99 (October 1995): 174-176.

entirety of the war. The captain of one blockade runner found the city a “most forsaken place” with rotting wharves and sand piled high in the streets.⁸⁹

Houston, on the other hand, benefited from its neighbor's troubles. It has been argued that Houston suffered little during the war. In fact, Texas's third-largest town enjoyed a certain measure of prosperity as the war raged on. The town's location contributed to this. Being close to the Gulf of Mexico but not directly on it meant that Houston replaced Galveston as the state's main port. As long as Galveston remained a significant target of the Union naval effort, blockade runners shifted their destination to Houston, fifty miles away in a protected port. The town was also connected to the rest of the state and Mexico by an established network of roads. Houston thus became the distribution center for cotton production in the state. Beginning in 1862 the inflow of refugees from all points east made it a center of slave trading as well. The lucrative city was difficult to leave. It was noted by contemporaries that the families of Houston area soldiers who had left to fight often lived difficult lives due to war-time shortages and runaway inflation.⁹⁰ Seeing this, some chose instead to take advantage of the profits being made at home and resisted conscription.

In the Third District Peter Gray suffered the most crushing defeat of all of the Texas incumbents. He lost to Houston lawyer, politician, and recent cavalry captain Anthony M. Branch. Branch was one of Sam Houston's closest confidants, chosen as executor of Houston's will and guardian of his children. Branch, like Houston, had come over to the side of secession late. He was drafted to run by a group of citizens from Walker County based on Gray's support of the exemption bill's seeming discrimination

⁸⁹ Barr, “Queen City on the Gulf Held Hostage”: 126-127.

⁹⁰ Paul A. Levengood, “In the Absence of Scarcity: The Civil War Prosperity of Houston, Texas,” *Southwestern Historical Quarterly* 101(April 1998): 401-424.

between the rich and poor. The committee charged that its effect was to create dissention and discontent in the army among small property owners. The group's statement to the *Tri-Weekly State Gazette* criticized the incumbent, "that by his vote on the late exemption bill (since modified because of its unpopularity before the people) he has weakened his claims to re-election from this district."⁹¹ Branch's successful platform centered on being against the exemption clauses—especially the "Twenty Negro" law. Like Malcolm Graham in the 1861 race he entered the race at the behest of friends as he was serving in the Twenty-first Texas Cavalry at the beginning of the campaign.

Although he had the support of the major newspapers in Galveston and Houston, Gray found himself on the defensive during the summer leading up to the August election. The main issue was his support of the exemption laws and his stump speech centered on touting their value. After praising the "gallantry of the army" he described how the exemption laws helped "to maintain law and order" and helped place in the proper occupation the people necessary so that, "those who could serve better with their services than in the army...planters to provide food for the people." He claimed ignorance of reports of "evasions" coming in from nearby anti-conscription hotbed Austin County and lamented that some would take advantage of legal technicalities and defects in the conscription law. Mostly though, he focused on defending the law and his support for it. One week before election day he gave a speech in Galveston advocating the full dedication of men and resources to the theaters in the East. "Militias are not effective, not for an offensive war," he told the crowd. He continued, "The power to persecute [sic] war was needed to sustain the government." He also had to deny being a

⁹¹ *Tri-Weekly State Gazette* (Galveston), June 27, 1863. See also Warner and Yearn, *Biographical Register*, 30.

Union man before the war (he had not been) and explain his support for the suspension of habeas corpus. However, in what became a familiar tactic, Branch's supporters were able to frame Gray's exemption support as a class issue, calling his legislation "discriminant between the rich and poor."⁹²

The incumbent Peter Gray had not only these conditions in his district to darken the mood of his constituents but also his voting record to defend as well. Conscription was the major issue of the campaign but not the only one. By most standards Gray was aligned with the administration and efforts to centralize and streamline the Confederate government. He was one of the most vocal advocates for the Confederacy assuming "absolute control" over its railroads. His only straying from this stance was his efforts to split the Trans-Mississippi region within the treasury and attempts to create an exemption in the cotton export ban, allowing Texas bales to be traded with Mexico.⁹³ However, it was his strong support of conscription in the first and fourth sessions that complicated his reelection efforts.⁹⁴

The results are best described as an almost complete reversal of the 1861 race that Gray had dominated with three-quarters of the vote. The landslide reversed in 1863 and Gray lost by 63 percent, 3,703 to 2256. Whereas before he had carried every county, in 1863 Gray carried only five of twenty-two, four of these were in the less populated northern and western parts of the district. His largest margin of victory was in Montgomery County (bordering Houston's Harris County) but here he only gained a margin of 31 votes. Significantly, he lost Harris County 726 to 469, where he had won two years prior by almost 600 votes. Branch also won Galveston County 586 to 175.

⁹² *Clarksville Herald*, July 18, 1863.

⁹³ Warner and Yearn, *Biographical Register*, 106.

⁹⁴ Alexander and Beringer, *Anatomy of the Confederate Congress*, 393.

One of the district's influential political players believed Branch "carried almost to a man" poorer voters, demonstrating how significant the conscription backlash could be.⁹⁵

By focusing on Gray's support for the twenty-slave exemption, Branch was likely hoping to tap into voter discontent stemming from class divisions. The twelve counties stretching from Galveston to the opposite bookend (Falls, Limestone, and Freestone) were some of the most agricultural and slave intensive areas in the state and home to some of the state's largest plantations. Additionally, the specter of a slave revolt loomed as the war went on. Three of the district's counties— Grimes, Montgomery, and Walker— counted over half of their total population as slaves in 1860, numbers further exacerbated by whites leaving to fight in the war. Adding to the influx was the large number of refugee slaveholders arriving in the district with their chattel in tow. The land was an ideal location for these slaveholding refugees as it was productive and on the state's interior away from the dual Yankee threats posed by the coast and occupied Louisiana.⁹⁶ However, this was not enough to stem the wave of votes for his opponent Branch. The result was a landslide defeat for the incumbent.

As a whole the Fourth District was closest to the war and as such received thousands of refugees as Union forces pushed further south. It has been estimated that between 32,000 and 47,800 refugee slaves flooded the state during the Civil War.⁹⁷ Tyler, the district's most populous urban center, served as a depot receiving refugees mostly from Louisiana and Arkansas.⁹⁸ A study of the district's county tax rolls shows

⁹⁵ Baum, *Shattering of Texas Unionism*, 112-113.

⁹⁶ Cambell, *Empire for Slavery*, 244.

⁹⁷ Dale Baum, "Slaves Taken to Texas for Safekeeping during the Civil War," in Charles D. Grear, ed., *The Fate of Texas: The Civil War and the Lone Star State* (Fayetteville: University of Arkansas Press, 2008), 82-85.

⁹⁸ Ralph A. Wooster, "Life in Civil War East Texas," *East Texas Historical Journal* 3 (October 1965): 94-96.

an astounding increase of 13,680 slaves from 1860 to 1864. The closest race of 1863 was in the Fourth District where the incumbent Franklin Sexton edged out Cherokee County attorney James Anderson 2,051 to 1,997. This was partially a result of the coalescing of some 2,000 votes that had been spread across the third through sixth place candidates in 1861. Strangely, large plantation owner Sexton owed his victory to the counties in the southern and western parts of the district that held significantly fewer slaves per county than the northern and eastern counties. Areas that went overwhelmingly for Anderson were Cherokee (Anderson's home) and Anderson Counties. These two counties also saw the largest gains of slaves in the district: 2,286 and 2,275 respectively.⁹⁹

On the campaign trail Anderson promoted his successful law career and "firm avocation of state rights" to supplement a lack of political experience. He sold himself as apolitical, "not a party into political intrigues," and claimed to have run only at the prompting of friends. Apparently the issue of him not going into the military came up as he defended himself as unable to serve because of a painful disease. Once again, the issue of conscription was at the forefront. During the campaign Sexton was identified with the conscription law and did not hide the fact that he was a strong administration supporter.¹⁰⁰ His solid connection to most of the Administration's policies meant that the 1863 Fourth District election could be also be seen as a referendum on the President. His pragmatism on the war undoubtedly grew from the large plantation operation he stood to lose should the Confederacy fail. Significantly he was firmly against the twenty-slave exemption despite being one of the area's largest planters. Ironically Sexton's areas of strength in 1863 were also away from his bailiwick at San Augustine. He was able to

⁹⁹ Campbell, *Empire for Slavery*, 264-266.

¹⁰⁰ Warner and Yearn, *Biographical Register*, 217-218.

carry that county 99 to 53 but lost the five surrounding counties 584 to 439. Anderson especially won big across the northern part of the district including Anderson and Cherokee Counties by a combined margin over Sexton of 743 to 379. Anti-secession Angelina County returned votes in 1863 and Anderson's 117 to 43 victory there gives a hint as to where on the political spectrum the two candidates stood, at least to the constituents of this unique county.

A consistent diarist, Sexton's writings have given scholars some of the best primary source material of the day to day life of a Confederate congressman. His diary showed him to be a thoughtful and pragmatic lawmaker. He seemed to choose his friends in the congress based on their political views. One of his closest was Malcolm D. Graham of the Fifth District, one of the Texas delegation's strongest Davis supporters. Together they were both appalled by Henry Foote's carryings on that produced what Sexton described as pointless, unfruitful entire days spent on quibbling. He had altercations with Herbert over that congressman's similar anti-administration views. He was willing to ignore any constitutional misgivings and give power to the President in the interest of expediting necessary action, what he described as an "imperious necessity." His support for the conscription bill was tempered by the belief that the issue of exemptions should have been left to the states. Considering the anti-conscription backlash seen across the state this reluctant approval and his stance against the twenty-slave exemption likely played a part in Sexton's narrow reelection.

The key to the Fifth District in 1861 had been the five easternmost counties. Wood, Smith, Upshur, Rusk, and Harrison Counties were the district's concentration of population and had grown substantially, suggesting an influx of refugees, most likely

directly from Louisiana. Rusk and Marshall had also become massive refugee depots.¹⁰¹ Although Harrison County's substantial slave population of 8,101 only grew by 580 slaves during the war, the other four counties saw large increases that totaled 9,104 bondsmen, the highest percentage increase in the state. On election day three of these counties, Wood, Rusk and Harrison, were within ten percentage points between the two candidates. These results foreshadowed other district returns, providing the second-smallest winning margin in the state with ninety-eight votes, just 2 percent of the district total.

The midterm elections of 1863 in the Fifth District put into office a politician with arguably as much dissatisfaction with the President as Herbert. John R. Baylor was one of the more interesting figures in the Confederate political saga. In his primary occupation as a frontiersman, Baylor's life was marked by frequent conflict with Indians. Beginning in 1840 at the age of twenty-two, Baylor became a central figure in the bloody struggle between white settlers and the tribes—primarily Comanches—that roamed the western Texas frontier. The appointment of this intrepid frontiersman to the position of Indian agent was as questionable as it was controversial since Baylor seemed to hate all Indians. In 1859 he was instrumental, from organization to stump speeches, in the removal of the Brazos Valley Reservation Indians to Indian Territory. The episode revealed Baylor's disdain for authority when the subject was Indians. It began when he gathered and led some three hundred settlers against not only Indians but also the Federal troops at the Indian agency. Several Indians died in the exchange. Baylor's anti-Unionism initially sprang from his lack of faith in the United States to adequately protect

¹⁰¹ "Wooster, 'Life in Civil War East Texas,' 94-96.

the frontier or as he put it a, “cold blooded indifference to our condition that would do credit to the Czar of Russia.”¹⁰²

Elected to the state legislature in 1851 and again in 1853, he had political experience when the midterm campaigns began. The Brazos Valley incident foreshadowed his subsequent political career in the Confederacy. With the opening of hostilities, Baylor was assigned to garrison the abandoned federal forts. Instead he focused on clearing out the Mesilla Valley in the far reaches of West Texas and Southern New Mexico. In the process his troops repulsed a Union attack, in the small battle killing three soldiers and wounding another six. Later, his forces overcame and captured the same retreating ten companies, mostly on account of the midsummer’s heat and ensuing exhaustion that affected the Union troops. The dust kicked up by the disintegrating column revealed their position and Baylor’s forces, some three-hundred strong, captured around five-hundred enemy troops without firing a shot.¹⁰³

The “Mesilla Valley Campaign” resulted in Baylor ensconcing himself in El Paso as the “Military Governor of Arizona.” The territory was claimed by Baylor to extend below 34° latitude and was promoted not only for its vast mineral resources but also for its access to the ports of the Pacific Ocean. T.R. Fehrenbach has pointed out that Baylor’s escapade pulled the Texas frontier forces further west, stringing them out and when federal forces defeated them in Santa Fe, effectively wasting them. These forces could not be replaced.¹⁰⁴ When Baylor next advocated exterminating all Indians in the state Davis finally relieved him of his “governorship.” Incensed, Baylor made this his

¹⁰² T.R. Fehrenbach, *Comanches*, 435-437. Walter L. Buenger, *Secession and the Union in Texas*, 11, 116-117.

¹⁰³ Martin Hardwick Hall, *Sibley’s New Mexico Campaign* (Austin: University of Texas Press, 1960), 26-27.

¹⁰⁴ T.R. Fehrenbach, *Comanches*, 451-452.

campaign platform.¹⁰⁵ In a campaign speech in Dallas County he lamented his personal treatment by the Confederate government and balanced his severe policy toward Indians (favored by many residents in Dallas) with the administration's lack of effort.¹⁰⁶ The *Clarksville Herald* noted enthusiastic receptions for the Indian fighter throughout the district, especially in the district center Marshall where he had a "perfect ovation" when he mentioned the "sacred principle of state sovereignty."¹⁰⁷ Graham meanwhile had attempted unsuccessfully to exempt from service all men living on the frontier and like other Texas congressmen, advocated anti-tax measures for the state.

Upshur again went heavily for Graham in almost the same percentage as it did in 1861. The incumbent also won other scattered counties but overall fared poorly in the heavily populated eastern section of the district, most notably Smith County that now went to Baylor with 503 votes to Graham's 238. The Blackland Prairie counties, Parker, Tarrant, and Dallas, provided Baylor with a scant margin of 68 votes out of a total 1,318 cast. In a district that saw a small drop in total votes, Graham's landslide victory of 1861 and subsequent loss of 2,494 to 2,396 in 1863 demonstrate a shift in opinion. Considering Baylor's outspoken and acerbic anti-Davis platform, the 1863 vote at least showed how the voting constituents felt about the administration.¹⁰⁸

The Sixth District provided observers with the most obvious example of a legitimate case for states' rights. William Wright's voting record was guided primarily with the needs of his district in mind. His two significant amendments to the conscription

¹⁰⁵ Warner and Yearn, *Biographical Register*, 19-20.

¹⁰⁶ *Dallas Herald*, June 24, 1863.

¹⁰⁷ *Clarksville Herald*, July 18, 1863.

¹⁰⁸ Although Wood County did not have returns in the Secretary of State's records at the State Archives, the totals given in several newspapers list that Baylor won 2,494 to 2,396. Without Wood County the totals add up to 2,323 to 2,200 for Baylor. Since Wood County experienced an increase of 1,161 slaves it is assumed there was no major population displacement that would have occurred during the war. Thus, this work assumes Graham won Wood County 196 to 171.

act were aimed at exempting all militia units protecting the Texas frontier and all slaves involved in raising his district's principal staple, grain. This seemingly contradicts his classification by later historians as a strong administration supporter, at least in Owsley's framework. *State Rights* would likely argue that these troops and slaves would have been better utilized in the theaters of the East. Wright's amendment shows that even a congressman who strongly believed and acted to implement conscription also considered the frontier another front in the war.¹⁰⁹ As noted earlier, Indian raids increased over 1862 and 1863. The residents of Clay, Cooke, Denton, Jack, Montague, Palo Pinto, Young and Wise Counties had all experienced "murder raids" in the year leading up to the midterm elections. The frontier here retreated the farthest. Those who dared to remain bonded together in siege-like living conditions.¹¹⁰

Politicians like William Wright represented the pragmatic balances Confederate congressmen had to achieve between their constituents and country. By examining how congressmen worked out these tensions, one can find the holes in Owsley's occasional all-or-nothing view. Despite the necessity of Wright's actions and his concern with his constituency he would go on to lose 2,087 to 1,420 to Clarksville attorney and railroad promoter Simpson Morgan. Like Wright's previous opponent Benjamin Epperson, Morgan was associated with the Memphis, El Paso, and Pacific railway. He was also married into a powerful Arkansas political family, the Garlands. Both Augustus and Rufus Garland served in the Confederate Congress as well.¹¹¹

¹⁰⁹ Wright's strongest pro-administration scores in *The Anatomy of the Confederate Congress* were consistently the highest in the state. See pg. 405.

¹¹⁰ Fehrenbach, *Comanche*, 452.

¹¹¹ Warner and Yearn, *Biographical Register*, 181. For more information on the Garland Brothers see pages 95-97.

Unfortunately several key counties are missing from the Secretary of State's records, including Collin and Hunt in the Blackland Prairie region and Cass on the Louisiana border, where the slave population increased in three years of war from 3,515 to 5,189. From the returns provided Wright once again performed well in the Blackland, winning the four counties that returned votes 679 to 394. However, this region, which had given him a huge margin of 1,026 votes in 1861, only provided a margin of 285 in 1863. Overall, the entire district's voting numbers were down from 6,437 in 1861 to 3,625 two years later. Surprisingly Jack and Wise Counties on the frontier increased vote totals and as in 1861, they went against Wright in large percentages. Wright again had problems in East Texas, especially Lamar, Red River and Hopkins Counties where he lost by a combined 1,136 to 363 votes. Red River was Morgan's home County and had also gone heavily for Epperson in 1861. Wright lost his home county for a second time 365 to 157 making him the fourth out of six incumbents to lose his home county at the midterms. In these districts the 1863 vote was characterized by a reversal of the bailiwick effect of 1861. The margins here and Wright's depleted returns in the middle of the district can most likely be attributed to a decreased population due to the withdrawal of settlers away from Indian Territory and dissatisfaction with President Davis, especially over the vetoes of subsequent frontier defense bills.

This work has attempted to demonstrate a shift in Texas politics during the Civil War through an analysis of the congressional elections. Beginning the trend with strong support at secession, Texas voters were faced with a slate of candidates undistinguished by issues. They chose those they knew best who lived and worked in their communities. As a result those who resided in county clusters with high populations consistently won.

As the election results of 1863 show though, a definite backlash occurred against the Confederate government. Whether this result could be extended to a diminished support for the war itself is debatable. At a minimum, voters showed that they were unhappy with the men they sent to Richmond. Only administration supporter and military officer John Wilcox won big in a district that featured one of the most noted anti-secession areas in the German Hill Country and a divided San Antonio. Caleb Herbert won the Second District by mirroring the anti-Confederate sentiments of many of the district's voters. His landslide victory was undoubtedly due in part to his open opposition to the Confederate President and advocacy of Texas withdrawing from the Confederacy entirely. Peter Gray lost dramatically because he supported an act that sustained the Confederacy far beyond what it would have been able to survive without it. He lost to a close personal friend of Sam Houston who himself had reluctantly come over to the Confederate side. Incumbent and large slave holder Franklin Sexton narrowly won without the support of the slaveholding parts of the district and most likely because he supported the conscription act with the stated belief that states should decide their own exemption policies. Anti-Indian, anti Davis, and anti-Richmond, John Baylor's win in 1863 illustrated the frustration many had with Richmond's indifference to their problems. In the Sixth District yet another administration supporter lost.

With some certainty it can be asserted that the men who remained to vote in August of 1863 did not approve of the Confederate conscription policy or Richmond's inattention to the Indian problem. This trend clearly demonstrates that the nature of internal opposition at the war's midpoint was not from Unionists but rather from those who remained to see the effects of war on their state. Additionally, although Owsley's

conclusion provides a useful framework for Confederate political studies, it is limited in its application to Texas. Shifting men from Georgia to Virginia might have left the former state's home front destitute but without a second theater of action in no greater threat to the homeland. On the Texas frontier sending forces east meant an increase in the immediate and ever-growing danger of Indian depredations. Simply put, Texas did not have the men available to meet the Confederacy's manpower needs in theaters far from home and along the Indian frontier in the western part of the state.

Finally, at a time when the historiography of the Confederacy attempts to discern the "will" of soldiers and citizens it is hoped that this work has provided a quantifiable example of, at least politically, how that will had begun to fade in the Lone Star State. A recent work by John Keegan points out that Northerners believed from early in the war that Southern support for secession was fragile. Keegan finds no widespread evidence of this. Gary Gallagher in his work *The Confederate War* also concludes on the basis of correspondence that Southern support hardly waned throughout the war. Yet the congressmen Texas voters sent to Richmond in 1863 illustrated that many Texans had become provincial and, if anything, were moving in the direction of self-interest. Geographic isolation and a perceived neglect of problems on the home front left many Texans feeling their service to the Confederacy was simply to supply flesh in the form of men and beef. The hope of independence was the only potential reward this heavy sacrifice achieved. As the war progressed and news of lost battles and territory reached Texas, this hope gave way to the reality that the war was being lost. White Texans still resented the Union and still held blacks in low regard—Reconstruction in the state clearly illustrated that—but Texans had grown disenchanted with the Confederacy.

So often, political study of the Confederacy focuses on dissent, and Texas is no exception. While we cannot discern if this dissent was Unionism or simply a desire to leave the Confederacy and reestablish the Republic of Texas, this study has shown that Texan voters on the home front were discouraged by late 1863. Additionally, this work has illustrated that within the state unique pressures affected voters in many different ways. Texas was internally complex in terms of geography, culture and politics. These differences manifested themselves in a variety of ways at the polls, so much so that no two districts were alike.

We can well imagine a Texas voter reading one of the few remaining newspapers that still operated in the state in 1863. It is late in the Texas summer. Next to the paper's endorsement of gubernatorial and congressional candidates is the news that both Vicksburg and Gettysburg have concluded in devastating defeats for the Confederacy. The Army of Northern Virginia has been soundly defeated and is limping back to Richmond. The entire Mississippi River is now under Union control and Texas, already an isolated outpost, is now completely severed from the war raging in the East and from the Confederacy. One week later he goes to the polls. He makes clear his growing belief that this indeed had been a rich man's war and a poor man's fight.

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